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MEMOIRS

OF

JOHN HORNE TOOKE,

INTERSPERSED WITH

ORIGINAL DOCUMENTS.

BY ALEXANDER STEPHENS, ESQ.

OF THE HONOURABLE SOCIETY OF THE MIDDLE TEMPLE.

IN TWO VOLUMES.

VOL. II.

—— "Nam divitiarum et formæ gloria fluxa
Atque fragilis est: virtus clara
Æternaque habetur."

SALL. BEL. CATALINAR. cap. 1.

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LIFE

OF

JOHN HORNE TOOKE.

CHAPTER I.

FROM 1777 TO 1786.

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MEANWHILE, in consequence of the sentence pronounced against him, Mr. Horne had been committed to the King's Bench prison, in St. George's Fields, which, as I have often heard him observe, is far more unhealthy than Newgate, being actually built in the midst of a

marsh. He was also accustomed to add, that the basement story is several feet below the level of the river Thames, at spring tides, and, consequently, both damp and insalubrious.

Conversant as he was, in the ordinary transactions of human life, the surprise of the subject of these memoirs cannot be supposed trifling, when, after being consigned to this jail, by the special command of the chief justice of England, he had still a habitation to seek; for, after stopping a few minutes in the lodge, he was conducted to a vacant space within the walls, and there left, in utter ignorance of his future fate, and an entire stranger to all around him! It may be supposed, perhaps, by the sons and daughters of affluence, who reside in splendid apartments, and repose every night on beds of down, that even for the most wretched prisoner there is due provision in respect to a decent lodging; where poverty, sorrow, or misfortunes, may be secluded from the gaze of mankind, and find an asylum at least, if comfort be denied them. But this would prove a grand mistake, for the captives being generally more numerous than the apartments, it is by seniority alone, that the unhappy inmates succeed to the occupancy of a small bedchamber, totally devoid of any furniture, or conveniency whatsoever.

All this, as Mr. Horne solemnly assured me, he learned, for the first time, on the parade, whither he proceeded in charge of two tipstaves, who took their leave without condescending to give him any information whatever. On his distress being made known to the spectators, a person, who proved to be a jew, offered, for a sum of money, to accommodate him immediately. Ten guineas were accordingly deposited in his hands; but it was speedily discovered, that this son of Israel had not any apartment at his command, being only the joint-tenant of a miserable little room, in common with four or five other debtors. To the honour of the prisoners, however, they immediately interposed, and obliged him to restore the money appertaining to the stranger; who, being charmed with their love of justice, and determined not to be outdone by them in point of generosity, divided the sum in question among the poorer sort of the inhabitants. The clerk of the papers, on learning this anecdote, immediately made his appearance, and offered, for five hundred pounds, delivered beforehand, to accommodate him with a small house, situate within the rules, during the whole period of his confinement; but as the payment of a weekly sum was preferred,

the negociation was instantly concluded on that basis.

No sooner was he settled in comfortable apartments, without the walls of the prison, than Mr. Horne received visits from all his friends, particularly the aldermen Oliver, Townsend, and Sawbridge; together with sir John Bernard and Mr. Tooke. These, and several others, soon after instituted a weekly meeting at a neighbouring tavern *; a circumstance, which gave birth, perhaps, to the Sunday dinners, at Wimbledon, many years after. Be this as it may, Wednesday was the day now fixed upon; and, on that occasion, the prisoner, who, hitherto, had either wholly abstained from wine, or, at least, partook of it with scrupulous moderation, used to indulge himself with a few glasses. In consequence of this, he constantly found himself better, during the next and succeeding day; after which his health regularly declined until the periodical return of the feast. In short, by this time, it was discovered that he had got the *jail-distemper*, which uniformly abated with the use of claret; and on ascertaining this fact, he daily recurred to that pleasant but delusive beve-

* The Dog and Duck, in St. George's Fields.

rage, which cured him completely of the slow fever just alluded to. But, on the other hand, there is reason to suppose, that it implanted, or rather developed another disease, to the full as disagreeable: this proved to be the gout, with which he was occasionally afflicted ever after, from this period, until the day of his death.

In the mean time, Mr. Horne was treated with great civility by the marshal, the officer to whom is confided the superintendence of the prison; and he was accustomed to relate, that, on being summoned to attend a trial at Reading, in Berkshire, it was *hinted* to him, by one in authority, "that he need not hurry himself, either going or returning." Instead of being troubled with a tipstaff for his companion, with a view to his personal comfort, his own servant was entrusted with the custody of his master; and, in short, every thing was done for his accommodation, that could possibly be wished for. On receiving his instructions, he accordingly crossed the river, and repaired in a post-chaise to Brentford; whence, after spending a few days, in a very pleasant manner, in company with his *quondam* parishioners, he set out for the place of his destination. Thus this journey, instead of being performed, as in ordinary cases, under the inspection and control of

an officer of the court, was converted into an excursion for health and pleasure; and, after the lapse of a considerable time, he returned, as he went, at his own leisure.

It was at this precise period, that the poor woman, who had given a night's lodging to him when a school-boy, being attracted by his reputation, waited on, and solicited his assistance. She had become both old and wretched, and had a long pitiful tale to relate, of a husband's death, and the beggary and dispersion of her little family. These incidents of domestic woe were not narrated in vain; for he immediately presented his former hostess with a small sum to relieve her present necessities, and settled on her, at the same time, an annuity of ten pounds, which was regularly paid until her death.

Meanwhile, the current of life glided quickly along, and the term for the expiration of his imprisonment was now at hand. Accordingly, at the end of twelve months, he paid his fine of two hundred pounds, and found two securities for his good behaviour, during a couple of years. On adding the sum in which he was mulcted, to that which he had expended, he was accustomed to calculate the whole at twelve hundred pounds; — no trifling loss for a man in his situation of

life, but one at which he was never once heard to repine.

While a prisoner in the King's Bench, Mr. Horne did not entirely resign himself to the pleasures of society and his newly acquired relish for wine. On the contrary, he dedicated much of his time to study and retirement. As he deemed his sentence both unjust and illegal, in 1771, while still detained by its operation, he addressed a letter to Mr. Dunning, "which," to adopt his own language, "though published, was not written on the spur of the occasion. The substance of that letter, and of all that I have further to communicate on the subject of language, has been amongst the loose papers in my closet now upwards of twenty years; and would probably have remained there twenty years longer; and have been finally consigned with myself to oblivion, if I had not been made the miserable victim of *two prepositions and a conjunction.*

The officiating priests, indeed*, were them-

* "The present lord chancellor, lord Thurlow.

"The two present chief justices, lord Mansfield and sir James Eyre.

"Judge Buller.

"The late attorney-general, Mr. Wallace.

"The late solicitor-general, sir J. Mansfield, now chief justice of the common pleas; and

"Mr. Bearcroft, afterwards chief justice of Chester."

selves of rank and eminence sufficient to dignify and grace my fall. But that the conjunction THAT, and the prepositions OF and CONCERNING, words which have hitherto been held to have NO meaning, should be made the abject instruments of my *civil extinction*, (for such was the intention, and such has been the consequence of my prosecution,) appeared to me to make my exit from civil life as degrading as if I had been brained by a lady's fan. For mankind in general are not sufficiently aware, that words, without meaning, or of equivocal meaning, are the everlasting engines of fraud and injustice; and that the *grim gribber* of Westminster Hall, is a more fertile, and a much more formidable source of imposture than the *abracadabra* of magicians.

"Upon a motion," adds he, "made by me in arrest of judgment, in the court of King's Bench, in the year 1777, the chief justice adjourned the decision: and instead of arguments on the merits of my objection, (which, however, by a side wind, were falsely represented by him as merely *literal flaws*,) decided that precedents might be brought by the attorney-general on a future day. None were, however, adduced, but by the chief justice himself; who indeed produced two. (Thereby depriving me of the opportunity of combating the precedents and their

application, which I should have had, if they had been produced by the attorney-general.) And on the strength of these two precedents alone (forgetting his own description and distinction of the crime to the jury) he decided against me.

"I say, on the strength of these two precedents alone. For the gross perversion and misapplication of the technical term *de bene esse*, was merely *pour eblouir*, to introduce the proceedings on the trial, and to divert the attention from the only point in question——the sufficiency of the charge in the record. And I cannot believe that any man breathing, (except lord Mansfield,) either in the profession or out of it, will think it an argument against the validity of my objection; that it was brought forward only by myself, and *had not been alledged before for the learned counsel for the printers.* This, however, I can truly tell his lordship, that the most learned of them all, (*absit invidia,*) Mr. Dunning, was not aware of the objection when I first mentioned it to him, and that he would not believe the information could be so defective in all its counts, till I produced to him an office copy.

"Strange as it may appear! one of those precedents was merely imagined by the chief

justice, but never really existed. And the other (through ignorance of the meaning of the conjunction THAT) had never been truly understood; neither by the counsel, who originally took the exception, nor perhaps by the judges who made the decision, nor by the reporter of it, nor by the present chief justice, who quoted and misapplied it.

"Perhaps it may make my readers smile; but I mention it as a farther instance of the importance of the inquiry into the meaning of words;—that in the decision of the judges in the house lords, the chief justice De Grey (who found OF and CONCERNING so comprehensive, clear, and definite) began by declaring that—the word *certainty* (which the law requires in the description of crimes) is as indefinite (that is as *uncertain*) as any word that could be used. Now, though *certainty* is so very *uncertain*, we must suppose the word *libel* to be very *definite*; and yet, if I were called upon for an equivalent term, I believe I could not find in our language any word more popularly opposite than *calumny*; which is defined by Cicero, in his Offices, to be "callida et malitiosa juris interpretatio*."

The letter to his friend, Mr. Dunning, after-

* Advertisement to chap. vi of ΕΠΕΑ ΠΤΕΡΟΕΝΤΑ.

wards lord Ashburton, is dated "King's Bench prison, April 21, 1778," and must be allowed to display uncommon ingenuity and research. The whole of it is occupied in a critical examination of the information, in the case of *the king and Lawley*, which had been quoted as a precedent against him. He endeavours to prove that the averment*, said to be omitted, was not only substantially, but literally made. From this seemingly barren field, was afterwards reaped a noble harvest, in the "Diversions of Purley," of which this tract forms four distinct chapters.

At the expiration of the period assigned by his sentence for imprisonment, Mr. Horne, as has been already stated, paid his fine, and found sureties for good behaviour during two years. The latter circumstance was considered by him as the hardest, as well as the most delicate part of the judgment; for his bosom still burned with

* "The exception taken was, that it was not positively averred that Crooke was indicted; it was only laid that she sciens, that Crooke, had been indicted and was to be tried for forgery, did so and so."

"She knowing that Crooke had been indicted for forgery, did so and so."

That is literally thus:

"Crooke had been indicted for forgery"—(there is the averment literally made)—"She knowing that, did so and so."

unquenchable zeal and never-dying resentment. Like the martyrs of the primitive church, he cherished his opinions with renewed ardour, in consequence of the persecutions he had endured; and, with the heroes of the croisades, he was still ready to encounter, and even to extirpate, if possible, those infidels who were hostile to his faith.

The various pursuits in which this gentleman had hitherto been uninterruptedly occupied have been already detailed. He had now attained the meridian of life, and could no longer be termed a young man. Some portion of his days had been spent gaily, and, most likely, happily also, in foreign countries; and in his cure at Brentford, tranquillity at least, if not wealth, was within his reach. But of late he had ventured again on the "troublous ocean" of political strife, and had been shipwrecked in a jail. Having abandoned his own profession, another was still to be sought after, and he had now arrived at that stage of existence when all the other passions generally begin to retire, and leave ambition to exercise an undivided dominion over the human breast.

At this period, however, riches did not abound. The expenses of three trials, and an imprisonment of some duration, had greatly

diminished his fortune, and, to complete the whole, he was now, at the age of forty-three, for the first time, attacked by disease.

This malady proved to be one, usually more painful than dangerous, and therefore exposing the patient rather to the jokes, than entitling him to the compassion of his best friends. The first fit, which proved uncommonly severe, occurred in 1779, and was supposed by himself to have been produced by drinking red wine, while residing within the precincts of the King's Bench. But, whatever might be the predisposing cause, there is every reason to presume it completely falsified the proverb, "that gout and riches go together."

Immediately on his recovery, he determined to fulfil the promise recently made to himself and his friends. He had already kept the necessary number of terms, which were, indeed, gratuitously lessened to him, as a graduate of the rank of master of arts; and nothing now remained but to order his wig and gown, pay the usual fees into the hands of the treasurer of the Inner Temple, and invite his companions to an entertainment on the occasion. Every thing was accordingly prepared. Several eminent attornies had voluntarily promised him briefs; and the whole profession considered a man so

richly gifted, both by nature and education, as eminently qualified to do ample justice to their clients.

But while his friends were thus felicitating him, on the prospect of approaching wealth and honours, a plan was actually formed on the part of his opponents, to deprive him of the means of procuring a livelihood by his talents. On applying for a *call*, in 1779, instead of granting this request, with the usual facility, the benchers affected to demur, and actually withheld their assent to the name of "John Horne," at the same time permitting all the other candidates to become barristers without the least objection. On being desired to explain, they expressed their doubts as to the eligibility of the gentleman in question. They could not urge any thing against his character, for it was respectable; against his station, for it was creditable; against his education, for he had aspired to and obtained the honours of his college; or against his talents, as these were allowed to be eminent, and indeed constituted the sole disqualification. This last circumstance is said to have created a mean jealousy on the part of some practising lawyers, who were afraid of being eclipsed by a new competitor; but the chief opposition sprung from another quarter:

his politics were avowedly unfriendly to those in power, and he had already successfully opposed certain principles of law, as laid down by lord chief justice Mansfield. To have repaired to the court of King's Bench, not in the character of a raw and unfledged counsel, attending for his turn to make a *motion of course*; but as an adult and able practitioner, descending into the forum, like Minerva from the head of Jupiter, armed and prepared for the combat, was too much to be borne, by this celebrated and able, but timid and resentful judge.

The chief difficulty, however, was where to find a colourable objection? There were some instances of denying a call, and a noted precedent actually occurred about this period, in the person of Mr. Murphy, who was refused by one inn of court, because he had been a *comedian**, while Mr. Horne was now rejected by another, because it was doubtful, notwithstanding his resignation, *whether he was not still a clergyman?*

To comprehend the present subject, it may

* Mr. Murphy himself stated this fact to me, and added, that, after arresting the treasurer for the *fees*, he entered himself of another society, and was *called* through the influence of lord Mansfield, who overruled so "frivolous an objection," as that of having been on the stage.

be here necessary to recur to an early portion of our history, and thus exhibit the question of *eligibility*, in its various bearings and relations. In former times, the clergy engrossed nearly all the learning in the nation, and were accordingly far better qualified than the laity for both ecclesiastical and legal pursuits. The bishop indeed, presided in conjunction with the *comes*, or earl, in the county court, and thus, besides taking care of the interests of his own order, conferred additional dignity and skill on the decisions of that tribunal. The inferior clergy, at the same time, appear to have practised with great success in the municipal tribunals; and as theology had sharpened their wits, and education enlarged their understandings, it is not at all surprising to find that clients should be eager to engage their services, and flock to them in preference to men less qualified for forensic business.

The fortunate, or perhaps *unfortunate* discovery of the Roman code, at Amalfi, in Italy, produced a great change in the institutions of almost every country in Europe. — The dignified clergy of that day immediately perceived how advantageous the adoption of the regulations of Justinian would prove to them; and the popes, who then pretended to

dispose of the throne of the Cæsars, were eager to support the arbitrary edicts of emperors, who, like themselves, affected to think, that both their persons and their rescripts were inviolable.

The neighbouring countries cheerfully submitted to the change, and thus engrafted slavery and the civil law on that even-handed gothic jurisprudence, which had ensured freedom to all the northern nations.

But the sturdy spirit of the English barons would not permit them to submit; and, during the reign of king Stephen, many severe, but salutary statutes, were passed against these sinistrous innovations. On this, the reigning pontiff, perceiving that it would be a work of time to subdue the contumacy of a bold and haughty aristocracy, in order to throw discredit on their municipal institutions, inhibited the bishops from assisting in the county courts, and the clergy from practising any where but before an ecclesiastical tribunal.—The prelates obeyed, but the inferior members of the priesthood could not be so easily induced to relinquish the advantages of a lucrative profession. They accordingly repaired to the common law courts in disguise; for, to avoid giving scandal by their contumacy, they

concealed the ecclesiastical tonsure, which designated their order, by means of a black patch, or *coif*, which is still placed on the back of their wigs at the present day, by all who have attained the dignity of a serjeant. Thus many of the clergy still continued, for ages, to practise as before; and they have never been since prohibited by statute.

However, notwithstanding this, the application of Mr. Horne was at length negatived, although the decision did not take place without some debate, and was not, even then, unanimous; several of the benchers were ashamed of the conduct of the majority; and one, still alive, has repeatedly expressed his regret at the part taken by him on that occasion. But as the judgment in this case did not prove final, and the candidate was not a man to be appalled by trifling difficulties, he determined to try the question a second time. Accordingly, after allowing a decent period to elapse, that party-heats might be allayed, and Reason resume her throne in the parliament-chamber of the Inner Temple, he restated his claims by means of a second petition. This appears to have been attended with considerable effect. It was asked, if the injunctions of an ecclesiastical tribunal to abstain from secular employments, were bind-

ing? If, from the period of the reformation up to that day, such a question had ever before been raised? And whether it would have been now agitated in the case of any other man in the kingdom? It was further demanded, if the profession of a priest was, alone, indelible? whether a clergyman, in full orders, cannot be secularized? and if Mr. Horne, by giving up his preferment, did not actually become a layman?

On this occasion, the numbers on both sides were nearly equal — the question having been finally decided in the negative, by the casting vote of Mr. Bearcroft, a king's counsel, and either then, or soon after, appointed chief justice of Chester.

Thus, by a single unit, was precluded from all the advantages of the profession, a man who was calculated, both by nature and education, to be an ornament to the bar, and to have added lustre to the bench itself. An appeal, indeed, might still have been made to the judges, and finally to parliament; but Mr. Horne entertained little or no prospect of success, for although his cause was good, his enemies were numerous as well as powerful. In short, he appears to have been selected as a victim to party-rage; and the very same pre-

texts now used to preclude him from practising as a barrister at Westminster, were employed, more than twenty years after, to prevent him from continuing to sit as a senator in St. Stephen's chapel.

The refusal to admit him to his gown, was a cruel and severe blow. Indeed it was struck at a vital part; and, I am persuaded, contributed not a little to sour and embitter the remaining portion of his life. While treating, at a latter period, of the "article and interjection," he elucidates his remarks on Mr. Harris's mistake, by alluding to the conduct of the benchers of the Inner Temple: "who, having first *enticed* me to quit one profession," says he, "after many years of expectation, have very handsomely supplied its place to me by the *negation* of the other."

But although Mr. Horne was thus lost to the bar, he was not lost to his country. The American war still raged with unabated violence, and the colonies had not only shaken off the yoke, and declared their independence, but invoked the assistance of the house of Bourbon. The court of Versailles, humbled by the peace of 1763, and wounded still more deeply by the effects of the antecedent war, seized this opportunity to avenge the national disgrace, and, in

a short time after, was joined by both Spain and Holland. By rendering that contest unpopular, which he already deemed unjust, the subject of this memoir thought he would be able to shorten its duration, and avert its calamities. Accordingly, in 1780, in conjunction with the celebrated Dr. Price, he published a pamphlet, entitled, "Facts," addressed to the landholders, stockholders, merchants, &c. of Great Britain and Ireland *. It contains a keen and elaborate review of the principal acts of lord North's administration; and I am enabled to state, from a manuscript note, penned soon after an interview with the editor, that the whole of the second and eighth chapters, which relate chiefly to finance, with the exception of the note to page 111, were written by Dr. Richard Price.

The following introduction, to the nation at large, will readily point out its author:—

"Fellow countrymen!

"It was only by the death of one king, and the expulsion of another, by a long train of cruel civil wars, and a deluge of the best blood

* It was printed for J. Johnson and J. Almon. The motto is, "*Ubi dolor ibi digitus*;" and the eighth edition of this scarce tract is now before me, in consequence of the kindness of T. Holt White, esq. of Chase Lodge, near Enfield, Middlesex.

in the country, that our ancestors could, at length, obtain from *prerogative*, that the judges (who only *declare the law*) should no longer be under the corrupt influence and power of the crown. And, though costly, they thought the purchase wisely made.

"What is now our struggle?

"That those who *make the laws* shall no longer be prostituted to infamous and sordid gains; that the legislature itself may be rescued from temptations which flesh and blood cannot withstand.

"The violence of *prerogative* diverted the streams of justice, and diverted the course of them from their natural and ordinary channels; yet, when the hand of violence was taken off, when the dam of prerogative was removed, the streams ran clear, and purer than before. But the corruption of parliament is not merely a turning of the course, it is a poisoning of the water at the fountain-head.

"The integrity of parliament, it has been observed, is the key-stone that keeps the whole together. If this be shaken, our constitution totters: if it be quite removed, our constitution falls into ruin.

"Is it, then, only *shaken?*

"Is it not quite *removed?*

"Have not three or four hundred mercenaries, in the two houses, already effected, against the property and liberties of this country, what ten times as many thousands, out of them, would have attempted in vain?

"Our ancestors have shut up, with all the bars and bolts of law, the principal entries through which *prerogative* could burst in upon us. It is ours to close the avenue of corruption, through which the *influence of the crown* now threatens our final ruin.

"To direct your attention to the true source of all our evils, and to the only means of our salvation, it is thought proper to lay before you the three following motions *, accompanied with some notorious and incontestable FACTS, which admit neither of denial nor of palliation; and which, whilst they evidence the justice of our complaints, and the intolerable enormity of our grievances, do, at the same time, point out both the necessity and means of a thorough reformation."

This work was originally written at the desire,

* 1. The motion of the duke of Richmond, in the house of lords, Dec. 7, 1779, for the reduction of the civil list.

2. The motion of the earl of Shelburne, Dec. 15, 1779, against extraordinaries;

And, 3. of the earl of Shelburne, Feb. 8, 1780, for an examination into the public expenditure.

or, at least, with the privity and concurrence of the first marquis of Lansdowne, then earl of Shelburne, who had taken a decided part against the ministry, during this contest with that nobleman, Mr. Horne had lately renewed his intercourse, visiting frequently, and conversing with him unreservedly, relative to all the occurrences of the times. But when the volume in question was finished and prepared for the press, his lordship suddenly altered his mind, and requested it might not be printed. The author, however, refused to comply; and these "Facts" soon attracted so much attention as to ensure a very rapid and extensive circulation. By exposing the errors, pointing out the impolicy, and anticipating the evils of the system then pursued, the writer contributed not a little to produce the desired effect, and, consequently, to hasten the fall of the premier of that day. But the spoils of the vanquished were reserved for others; and although the subject of this memoir had suffered in the common cause, yet he reaped none of the advantages resulting from the victory.

No sooner did the American war draw towards a conclusion, than Mr. Horne determined to leave his rural residence, in the vicinity of Brentford, in search of new scenes and em-

ployments. His active and enterprising mind panted after occupation; and he determined, at this period, to apply both his mental and his bodily powers to a favourite and interesting object. Agriculture had always been cherished by him as a useful and a liberal science, and now was the period, when political disputes had ceased in some measure to influence his conduct, that he resolved to indulge his former propensity.

He accordingly purchased a small estate from the rev. Mr. Perry, situate at Witton, near Huntingdon, and expended a considerable sum in its improvement. While the nation was already anticipating the pleasing hope of cultivating the arts of peace, and extending its commerce and manufactures to the most distant portions of the habitable globe, he busied himself in draining his farm, in introducing the meliorating grasses, in rearing cabbages for his cattle, and in managing his corn-lands, according to the best principles of drill husbandry. Not content with imitating the usual routine pursued by the followers of Jethro Tull, he himself determined to institute a course of experiments; and some new as well as interesting theory perhaps might have been broached, or his little fortune, now somewhat augmented by the recent sale of his living and

a bequest from his father, wholly expended, had not a most formidable disease intervened.

The malady with which he was afflicted, while a resident in the county of Hunts, proved exactly the same as what he had before experienced during his stay in Kent,—an ague, peculiarly violent and acute, which suddenly blighted his prospects of agricultural wealth and renown, and rendered a speedy retreat absolutely necessary. Luckily for him, the gentleman from whom he had bought the house and land, returned about this period from the continent, and being attached to the spot, and delighted with the recent improvements, he determined to repurchase the estate; an event which soon after took place, to the mutual satisfaction of both parties.

On this, Mr. Horne immediately repaired to London, and soon recovered his former health and gaiety. In the capital, he was of course nearer to the centre of government, and could more readily contemplate the mechanism of that powerful but complex machine, by means of which, the inhabitants of a free country are governed nearly with the same facility as the individuals of a great family. Here, too, he approximated the sources of political intrigue, and could more readily trace the current of opinion

to the fountain head. Those stationed at a distance, may, indeed, behold the motions of the puppets of the day, through the false and too frequently polluted medium of a newspaper; but such as sit nearer to the stage, will sometimes obtain a peep behind the curtain, and detect the wires by which they are worked. Books, too, of every kind and description, are also more easily obtained within the precincts of a metropolis; while men, who carry whole libraries in their heads, are there only to be met with. The press, also, always considered by our author as a great lever, by means of which the minds of mankind, and consequently the fortunes of an empire, can be wielded, was now within his reach; and he could daily see and converse with his friends, who were no longer reduced to the necessity of rumbling over the broken pavement of Old Brentford, or driving across the marshes of Huntingdonshire, to procure an interview. Nor was he averse to a proximity to the two houses of parliament, the debates in which he often listened to with an uncommon degree of attention, while he repeated the arguments used both by ministers and opposition with no ordinary portion of ability: he was accustomed, at the same time, to comment on the private motives of each party, with his usual acumen; and,

penetrating the political mist with which the respective combatants were in some measure shrouded from the eyes of the multitude, he would brandish his Miltonic spear, and, Abdiel-like, disclose the toad, inflated with corruption, that had assumed the godlike hue and form of a patriot, seemingly panting for the happiness, prosperity, and liberties of his country.

It was at this period, that Mr. Horne hired and furnished a house in Richmond Buildings, Dean Sreet, Soho. Here, he received and entertained his friends with his usual good humour and hospitality. Here, too, he first enjoyed the satisfaction of beholding a young lady, called Mary, who proved to be nearly related to him, under his roof, during the holidays: she was then a child, and had been placed at a respectable boarding-school, at a little distance from town. The party was afterwards augmented by her younger sister, Charlotte: they will probably be mentioned hereafter, under the name of the miss Hartes.

About this period, Mr. Horne renewed his intercourse with his old friend Mr. Tooke, and passed much of his time, at the seat of that gentleman, at Purley. He was attached to the possessor, from a variety of motives; he delighted in the rides and walks around his man-

sion, which, by its proximity to London, was, of course, easy of access, being within the reach of daily, and, if necessary, of almost hourly communication. Here he was accustomed to spend a month or six weeks at a time, and constantly passed the greater part of the morning on horseback. At dinner, the conversation was free, easy, and familiar, exhibiting, "the social converse, and the flow of soul," for which he had always been so eminent: the amusements of the evening were occasionally varied with piquet; and the mind was thus agreeably relaxed, from the embarrassing engagements and perplexing cares to which a residence in a great metropolis is so frequently subjected. "Politics and compliments," he was accustomed to say, "are strangers here; we always put them off when we put on our boots, and leave them behind, in their proper atmosphere, the smoke of London."

It was at this time, too, that he became a member of the "Speculative Society;" the sole object of which was philosophical and literary investigation. During one of the discussions that took place there, he first saw, heard, and wished to become acquainted with, sir James Mackintosh. An introduction was, of course, readily effected, by means of a common friend;

and, at the conclusion of the debate, he carried part of the company home to Richmond Buildings, and treated them with a supper and champagne. I have lately heard the able and amiable ex-recorder of Bombay dwell with rapture on his entertainments at that period, and describe them in classic and appropriate language, as the

"Noctes cœnæque Deorum."

The memorable events that occurred towards the close of the colonial contest, appeared to present a favourable opportunity to Mr. Horne, and all those with whom he was connected in politics, to achieve the grand object of their association. Lord North was now tottering on the brink of destruction; and the means by which he had conducted a bloody, ruinous, and expensive war, in notorious opposition to the wishes of the people, had become a subject not only of investigation but reproach. This, therefore, was deemed a propitious moment for effecting a grand national object, intimately connected not only with the representation, but also with the revenues and liberties of this country. The humiliation incident to an unfortunate war, the murmurs of the people, the distresses of the manufacturers, and the unpopularity of the mi-

nistry, all tended to inspire hope. Fortunately, too, the cause was advocated by Mr. William Pitt; and the splendid talents, and plighted faith of this youthful orator, together with the general bias of the nation, seemed to render success probable, if not certain, at no very distant period.

The idea of amending, by restoring the constitution to its first principles, is of no very remote origin, having been first conceived within the last half century. We do not hear of any complaints of an inefficient representation during the disputes between Charles I and his subjects; there is not a single allusion of this kind in the Petition of Rights, or in the Act of Settlement. No trace of it indeed is to be found anterior to the present reign, when the long contest with Mr. Wilkes, and the impolitic dispute with the colonies, appear to have given birth, as well as strength and consistency, to this doctrine.

The truth is, that the crown was formerly opposed by the *landed aristocracy*, who engrossed and exercised the elective franchise in a manner not displeasing, and, consequently, not odious to the people. The great cry, both before and even after the civil war, was for "frequent" and "free parliaments;" frequent, because they

formed a constant bulwark against the oppression of the executive power; and free, that the members might be exempt from violence of all kinds in respect to their proceedings.

In process of time, however, influence was substituted for force, and proved infinitely more successful. Notwithstanding the arts of Clifford, the supposed father of modern corruption, during the time of Charles II, the parliaments of that reign obtained many great and salutary advantages for the community at large; and in the succeeding one, by a singular union of whigs and tories, originating chiefly in political principles on the one side, and religious partialities on the other, the Revolution was at length happily effected.

This great event, however, did not produce any radical change in the constitution of the house of commons, for no complaints appear to have been then made on this subject; and the great grievance of that day, so frequently alluded to under the name of *long parliaments*, was fully and amply redressed by the triennial act.

After the accession of George I, the existence of a pretender to the throne, the alarm of an invasion, and some trifling symptoms of popular disaffection, furnished either the cause or the pretext for reverting to practices worthy of times

less free and less fortunate. Accordingly, a project of an extraordinary nature was formed, and a house of commons, which had been elected only for three years, by joining in a vote for lengthening the duration of their own power, gave birth to the septennial act.

But, although that measure occasioned many bold and serious remonstrances, the minority in parliament, and the people in general, appear to have confined their complaints to this alone. Even during the long administration of sir Robert Walpole, we perceive the accusations of his adversaries strictly limited to the corruption of individuals; the abuse of the elective franchise, by the return of members on the part of obscure and dependent boroughs, was not then urged as a general charge against him; and as for the demand of a transfer of representation, from decayed to new and populous towns, this could not possibly have been made, for Birmingham, Manchester, Leeds, and Wolverhampton, the creations of modern industry, were then but petty and insignificant hamlets.

At length, the political disputes, which took place during the early part of the present reign, gave birth to discussions of a new kind; and the idea of a reform in parliament, appears to have originated with the first earl of Chatham,

who, in 1770, expressed a wish, in the house of peers, "that, instead of depriving a county of its representatives, as in the case of Middlesex, one or more members might be added to the representation of each, in order to operate as a balance, against the weight of several venal and corrupt boroughs." This, however, happened to be mentioned incidentally, for it was not until six years after that a direct application to this effect actually took place. Accordingly, in 1776, Mr. alderman Wilkes moved, "that leave be given to bring in a bill, for a just and equal representation of the people of England in parliament," which appears to have been then a hopeless measure, as it was not pressed even to a division.

In 1782, this question, as has been already observed, was renewed by Mr. William Pitt, who supported the plan sketched out by his father, with a kind of hereditary enthusiasm; and, instead of dabbling in wild and delusive theories, confined himself solely to plain and practicable measures.

Mr. Horne, who had always admired the energy, talents, and statesman-like qualities of the father, now devoted himself to the cause espoused by the son. His pen, his tongue, his purse, were all employed in forwarding this plan

of parliamentary reform. In private life, among his friends, his acquaintance, and even before strangers, he endeavoured to make converts. The press, as usual, was recurred to, for the pupose of diffusing his sentiments; the labours of the "Constitutional Society" were regularly and uniformly directed to the same end; and in the association, denominated the "Quintuple Alliance," he warmly and successfully advocated this cause.

In 1782, he addressed a pamphlet on this subject to his friend Mr. Dunning, now become lord Ashburton, a title which he well merited, on account of his great talents, his uniform attachment to the constitution, and his many splendid virtues.

It was entitled, "A Letter on Parliamentary Reform, containing the Sketch of a Plan." At this critical period, sharp sighted and doubtful of events as he assuredly was, yet the subject of these memoirs appears to have been so far misled by appearances, as actually to believe, "that we were on the eve of a peaceful revolution, more important than any which has happened since the settlement of our Saxon ancestors in this country; and which," it is added, "will convey down to endless posterity all the blessings of which political society is capable."

On this, as on all similar occasions, the author contends against universal suffrage, "as an improper and impracticable measure." In opposition to the doctrine of his "virtuous and inestimable friend major Cartwright," who is here supposed to maintain that every man has a right to an equal share in the constitution, he asserts, "that there is a very great difference between having an *equal right* to a share, and a right to an *equal share*."

"Justice and policy," says he, "require that benefit and burthen, that the share of power, and the share of contribution to that power, should be as nearly proportioned as possible. If aristocracy will have all power, they are tyrants, and unjust to the people; because aristocracy alone does not bear the whole burthen. If the smallest individual of the people contends to be equal in power to the greatest individual, he, too, is in his turn unjust in his demands; for his burthen and contribution are not equal.

"Hitherto, my lord," continues he, "I have only argued against the *equality*: I shall now venture to speak against the *universality* of representation, or of a share in the government: for the terms amount to the same.

"Freedom and security ought surely to be equal and universal. But I am not at all back-

ward to contend, that some of the members of a society may be *free* and *secure*, without having a share in the government. The happiness, and freedom, and security of the whole, may even be advanced by the exclusion of some, not from freedom and security, but from a share in the government.

"My lord, extreme ignorance; extreme selfishness; (I mean that mistaken selfishness which excludes all public sense;) all these are just and proper causes of exclusion from a share in the government, as well as extreme criminality, which is admitted to exclude; for thither they all tend, and there they frequently finish."

According to the plan here propounded, England and Wales are to be divided into five hundred and thirteen districts, each of which is to be entitled to choose one representative; so that the usual number of members shall be strictly adhered to. Every male inhabitant of Great Britain or Ireland, at the age of twenty-one years, and who, at the time of election, shall have been rated for the space of the preceding year to the land-tax, or parish rates in England or Wales, at two pounds per annum, shall be entitled to vote for a representative of that district in which he is so rated.

Each elector, at the time of giving his suf-

frage, shall pay into the hands of the presiding officer, two pounds two shillings.

Each vote is to be taken in that parish, where the voter is rated; while elections shall be annual, and at a certain time of the year.

If the number of persons voting in the district shall fall short of four thousand, then all persons in the said district, who are rated therein at twenty pounds per annum, or upwards, (and who have *already voted*), shall be entitled to give a second vote, paying again as before. And the same, in a similar case, with those rated at fifty pounds, one hundred pounds, two hundred pounds, &c., the last of which shall be entitled to give a fifth vote.

Out of this "election levy" every representative shall receive four hundred pounds from the presiding officer of the respective district; the remainder shall be paid into the exchequer; and each deputy, before he is permitted to take his seat in parliament, shall produce a voucher from the exchequer, for at least eight thousand pounds, and for as much more (exclusive of four hundred pounds) as shall have been paid by the voters at his election.

Instead of being jealous of the legitimate privileges of the reigning princes, the author observes, that "the prerogative of the crown,

which is glorious to the monarch and beneficial to his subjects, they will place (as it ought to be placed) high, brilliant, and independent.—A great weight at bottom can bear a great weight at top."

Such was the scheme proposed by our author; he, however, displayed no obstinate attachment to it, for he afterwards most readily adopted the opinions of Mr. Pitt, and ingenuously preferred the plan of that gentleman to his own. We now find him, indeed, most cordially cooperating in all the measures of that youthful statesman, whose accession to power was a subject dear to his hopes; for he fondly hailed that happy moment, as auspicious to the best interests of the empire. Neither the one nor the other was desirous of making any rash or improvident experiments, on a constitution contemplated by both as a master-piece of human wisdom; but, on the contrary, they were actuated solely by a generous wish to restore a decrepid body-politic to that original state of vigour, of which it had been bereaved by the innovating hand of time.

The nation, too, was at this moment prepared for some great change, in consequence of recent events. A long, impolitic, and unfortunate war, had alarmed their pride. The useless expenditure of so much blood and treasure, had opened

their eyes to the prospect of public calamity; and it was the fervent wish of all thinking and independent men, that some scheme of reform should be resorted to, in order to prevent the recurrence of similar misfortunes. Meetings were accordingly held in various parts of the kingdom, for this purpose. Among those who distinguished themselves on this occasion were, major Cartwright, who still survives; Dr. Jebb, a physician of great talents and integrity, who has many years since closed his mortal career; Mr. Sheridan, who had then begun to distinguish himself as an orator; and Mr. (now lord) Grey, whose enthusiasm in this cause, since he first tasted of power, seems to have subsided into cold indifference. After a decent delay, this party obtained new lustre from the wealth and dignity of lord Surrey, since become duke of Norfolk, as well as from the splendid abilities of Mr. Fox, then in the meridian of his reputation; while the duke of Richmond, by his rank and talents, conferred additional credit on their proceedings.

A regular scheme was now formed, for obtaining the aid and assistance of the whole nation. Several counties, cities, and boroughs, actually nominated deputies; and a convention was at length convoked, for the express

purpose of carrying so popular a plan into effect.

On this occasion, the corporation of London voted the use of its guildhall, and the lord mayor was unanimously called to the chair. — But the fervour of zeal was suffered to evaporate without producing any beneficial effect; while the new doctrine of *annual parliaments and universal suffrage*, created a general alarm among the upper ranks of society.

These notions were uniformly combated by Mr. Horne, who considered the latter as a specious innovation, calculated to produce mischief alone. He could find no traces of such a project in the constitution; and deemed it at once, weak, impolitic, and insidious. He however, continued to act as one of the delegates for the county of Surrey, and made use of all his influence, both at the Constitutional Society and Quintuple Alliance, to support the proposition of Mr. Pitt, beyond which he never ventured to proceed.

But even after the cause had declined in the south, the north caught the infection. The largest county in England associated for the same purpose; and a number of gentlemen, of large fortunes and liberal views, having formed themselves into a committee, elected a re-

spectable clergyman * of the church of England to preside, and eagerly cherished the principles of reform, while a probability of success remained. In Scotland, too, a short, feeble, and ineffectual struggle to obtain the same object, took place; but in Ireland, where grievances, of all kinds, both civil and religious, then existed in abundance, a more vigorous and successful struggle ensued, which, after producing a series of meliorations, in respect to the enlargement of trade, the freedom of public worship, and the extension of the elective franchise, at length happily tended to effect a union favourable to the best interests, and absolutely necessary for the common safety of both kingdoms.

Meanwhile, Mr. Horne, who had strenuously opposed the American war from its commencement, and suffered the penalties of fine and imprisonment on this account, of course rejoiced to behold the conclusion of that calamitous contest, by a vote of the house of commons, on the 27th of February, 1782. In consequence of this popular resolve, the marquis of Rockingham immediately became premier. One of the first measures of the new ministry

* The rev. Mr. Wyville.

was, to permit the odious resolutions respecting the Middlesex election, to be expunged from the journals of parliament, and Mr. Wilkes was at length enabled to congratulate his constituents "on the signal reparation that had now been obtained for their violated franchises, and the injuries they had sustained under the former administration."

The sudden death, however, of the amiable and upright nobleman just alluded to, by giving full scope to the individual ambition of the remaining leaders, produced fatal divisions among the whigs, and damped, at least, if it did not extinguish, the hopes entertained by the nation on the subject of parliamentary reform. On this occasion Mr. Horne, who never despaired of the commonwealth, sided with the earl of Shelburne, and highly approved of the preliminary articles of peace with America signed soon after his nomination. He also rejoiced at the appointment of a youth of twenty-three years of age to the management of the finances, an office hitherto supposed to be alone compatible with a mature judgment, aided by a thorough knowledge of the commerce, agriculture, and resources of the nation. While others objected to the inexperience of Mr. Pitt, he referred to his talents, his candour, his ingenuous-

ness, and augured the happiest results from his labours. "As to his youth," he was accustomed jocularly to remark, "that was the most pardonable of all possible transgressions, for, first, it was an involuntary defect; and next, it was a fault that mended daily."

In 1782, Mr. Horne assumed the additional name of Tooke, by which it may be proper to designate him hereafter. That new appellation was manifestly adopted with the privity, and, as I have always understood, at the particular request of a gentleman, whose heir he was now generally considered to be; and this circumstance was, accordingly, deemed a public pledge of his intentions.

I have learned, from undoubted authority, that, about this time, he not only participated in the confidence, but actually became the literary agent of the marquis of Lansdowne and Mr. Pitt. It has also been hinted to me, that he had an offer of an office of respectability under their administration. Certain it is, that he wished to keep down their opponents, whom, with his usual ardour, he both considered and termed the enemies of the nation; and he was chiefly incited to this, by a strong belief that the party espoused by him wished to restore prosperity to the country, and at the same time

render their own administration more stable, by means of a reform in parliament.

My inquiries on this subject produced the disclosure of an anecdote highly honourable to an individual, and I the more readily communicate it, with a view of rescuing the diurnal press from the general charge of rapacity and prostitution. A gentleman, now editor of a newspaper, was then an assistant in the "General Advertiser," and as he had evinced considerable powers of oratory, in the debating societies of that day, and was at the same time a writer of some note, an attempt was now made to *buy him off*, by means of a pension of four hundred pounds per annum. But although he then only possessed a salary of four guineas a week, yet such was his attachment to the person and principles of a great parliamentary leader *, that he refused the offer with scorn, and persevered through a long career of opposition, until he at length obtained wealth, celebrity, and independence. I lament, that I am not at liberty to disclose the name, and thus ascertain the fact beyond a possibility of doubt.

Meanwhile, after the lapse of a few months, in consequence of an unprecedented coalition

* Mr. Fox.

between Mr. Fox and lord North, this administration was forced to retire, on finding itself outvoted in parliament. Notwithstanding that event, the ex-chancellor of the exchequer brought forward his specific plan of reform, for adding one hundred members to the counties, by the abolition of a proportional number of the burgage-tenures, and the extinction of the small and venal boroughs. This measure, while it added greatly to his popularity, seemed to evince the temper and views of the new ministers; for, although Mr. Fox strongly contended for the melioration of the constitution, by "renovation," his noble colleague, uniformly consistent in his original principles, pleasantly remarked, "that, while some with Lear demanded an hundred knights, and others, with Gonereil, were satisfied with fifty, he with Regan exclaimed, 'No, not ONE!'"

But the discordant materials of which this motly ministry was composed, possessed no real bond of union; and after being foiled by a great trading company, which it in vain attempted to controul, it was easily pushed from the pinnacle of power, by the jealous finger of prerogative, and soon after dissolved, even as a party, in its own impotence.

In consequence of this unexpected event, Mr.

Pitt, who had obtained public notice and distinction, partly by his father's merits, and partly by his own, now became premier; and the nation was destined to enjoy a short interval of happiness and repose, during which many beneficial regulations took place. This young statesman added not a little to his popularity, by producing his ultimate plan of parliamentary reform; and without which, to use his own emphatic language in the house of commons, "the nation cannot be safe against bad ministers, nor can good ministers be of any use to it." By this scheme, the claim of representation was to be detached from thirty-six decayed boroughs, and annexed to the counties, in such proportions as the wisdom of parliament might prescribe. To render it more easy and practicable, he recommended the appropriation of a fund of one million, for the express purpose of purchasing the franchises of these, on their voluntary application to parliament; and when this had been once effected, he proposed to extend the plan to others, the rights of which were to be transferred to the large commercial unrepresented towns, on their petitioning to be indulged with this privilege. In addition to these concessions, copyholders were to be admitted to vote at elections for knights of the shire: in certain cities and popu-

lous towns, the privilege of election, now vested in the corporations, was to be extended to the inhabitants at large; and the result of the whole was, to add one hundred members to the popular interest, and extend the elective franchise to one hundred thousand persons, supposed, at that period, to be excluded from their due share in the nomination of representatives.

While many of the friends of reform opposed this plan, as one that tended to compromise the common cause, and satiate the avarice of the patrons of boroughs, Mr. Horne vindicated it on the score of expediency and practicability. He well knew, that government was not a property, but a trust; and, although he had at first revolted at the idea of purchasing those franchises, which, according to some, ought to be gratuitously resumed; yet, on the other hand, after due reflection, he most earnestly wished with the premier, to whom he was now closely united, to obtain a great national object without convulsion, and, if possible, without a struggle.

In 1782, Mr. Tooke waited on Mr. Pitt, at the head of the Westminster delegates, to thank him for his exertions in behalf of a reform in parliament. The future premier replied, in a letter replete with zeal, which was afterwards

published, when his *discretion* had taught him to abjure doctrines but little favourable either to the acquisition or the retention of power. Although I had long known the old detestable maxim of political adventurers, (for Philip was no other,) "to amuse boys with playthings, and men with oaths;" yet I am not ashamed to confess, I, at that time, placed the firmest reliance on his engagement; and, in consequence of my full faith in both, gave to him and to his administration, most especially when it tottered, and seemed overthrown, (in 1788,) a support so zealous and effectual, as to draw repeatedly from himself and his friends the warmest acknowledgments *.

In 1788, Mr. Tooke associated himself with lord Camden, Mr. Pitt, and others, for the purpose of forming the "Constitutional Club." The members distinguished themselves by means of an uniform, consisting of "blue and scarlet," in express opposition to the "blue and buff," worn by the opposition. The buttons bore an inscription of "king and constitution;" and this motto constantly formed the first toast.

Meanwhile, Mr. Fox had nearly lost all his wonted popularity; and it was easily perceived,

* Vol. i, p. 205, 4to edit. of "The Diversions of Purley."

when the writs for a new parliament were issued, in consequence of the appointment of Mr. Pitt to the offices of first lord of the treasury and chancellor of the exchequer, that even his re-election for Westminster had become problematical. It accordingly happened, that this gentleman, who, on a former occasion, had baffled all the influence of the crown, was no longer supported by the voice of the multitude.

Mr. Horne Tooke now openly declared himself among his enemies, and stated his reasons in a bold, manly, and energetic manner. His countenance to and support of lord Hood and sir Cecil Wray, the two ministerial candidates, in 1784, proved of great consequence, and contributed not a little to their triumph. The new premier, whose personal hostility to his opponent, was not, perhaps, altogether worthy of a great man, could not but be highly gratified with his exertions on this occasion; and he accordingly took frequent opportunities to express his obligations. At the conclusion of the contest, lord Hood found himself at the head of the poll; and Mr. Fox, while obliged to struggle for the other seat, by means of a long and unprecedented scrutiny, was forced to obtain an entrance into the house of commons through a

district of Scotch boroughs, his claim to which was also disputed.

Let it be here recorded, to the honour of Mr. Horne Tooke, that both on this and the subsequent election for the city of Westminster, he refused to go beyond the strict bounds of propriety with the party which he had espoused. His attachment was founded on broad and constitutional principles. He considered Mr. Fox as no longer entitled to public favour in consequence of his new political alliance with the ostensible author of the American war. But he, at the same time, deprecated the employment of bludgeon-men and hired ruffians by either side. On one part, the Irish chairmen, a fierce and numerous body, were notoriously organized and brought forward in support of Mr. Fox. The impropriety, injustice, and illegality of such an intervention, was felt and exclaimed against by no one, with more energy and effect, than the subject of these memoirs. On being consulted by Mr. Pitt, as to the means of repelling such a flagrant aggression, he calmly but forcibly replied, "that recurrence ought to be had to the laws alone." He accordingly advised an appeal to the magistracy; the summoning of all the constables of Westminster; the active and efficient interposition of the police of Bow Street;

and even the assembling of the *posse comitatus*, if necessary.

But finding his counsels of no avail, and perceiving that one monster was about to be combated by another, he immediately left the Hustings on the first appearance of a disorderly body of armed sailors, led on by naval officers. He consequently avoided beholding those scenes of tumult, violence, and murder, that ensued ; all of which had been foreseen, and would have been provided against, had not opinions of a different and less legitimate kind prevailed.

CHAPTER II.

1786.

Mr. Horne Tooke publishes the first edition of the Diversions of Purley.

THE year 1786 forms an important epoch in Mr. Tooke's life, for it was then that he published vol. i of the ΕΠΕΑ ΠΤΕΡΟΕΝΤΑ, or the "Diversions of Purley." From early youth he had addicted himself to a course of study, by which he was well qualified to obtain distinction on the present occasion; nor was it a subject unsusceptible of labour, or of genius, for, to use his own words, although, as "the foundation of all other knowledge, grammar be one of the first things taught, it is always the least understood."

In compliance with the custom of the ancients,

he adopted the didactic form of a dialect, in which himself and his old friend Dr. Beadon were the two principal speakers; a third person* being admitted merely out of compliment, which was also extended to his residence†, by the name of which, the work in question has been usually designated.

Of that work, which, by its acuteness, originality, and profundity, first produced a great change in the public mind, and finally obtained for him the reputation of the greatest philologist of the age, I shall content myself with a brief account:

"'This 'humble offering' is dedicated to the university of Cambridge, by one of her grateful sons, who always considers acts of voluntary justice towards himself, as favours. And particularly to her chief ornament for virtue and talents, the reverend Dr. Beadon, master of Jesus College."

In the introduction, the author declares grammar to be "absolutely necessary in the search after philosophical truth; which, if not the most useful, perhaps, is at least the most pleasing employment of the human mind. And I think it no less necessary," adds he, "in the

* Mr. W. Tooke. † Purley.

most important questions concerning religion and civil society."

In his younger days he had formed a system which proved of singular use to keep his mind free from confusion and the imposition arising out of words. After "too long an interval of idleness and pleasure," he tried this system, first with the living, and next with the dead languages, with success. At the end of another interval, "not of idleness and pleasure," he returned to his philological labours; and now, at the earnest request of his friends, he is prepared to exhibit the result of his studies.

Chap. i.—*Of the division or distribution of language.* It is here maintained, that men have been greatly misled, in respect to grammatical definitions, by confining themselves to the principle, "that the purpose of language is to communicate our thoughts." It was formerly customary to assert, "that words are the signs of things, and that there must be, therefore, as many sorts of words, or *parts of speech,* as there are sorts of things." The earliest inquirers into language proceeded then to settle how many sorts there were of things; and from thence how many sorts of words, or parts of speech. While this method prevailed, the parts of speech were very few in number: but two: and, at most,

three or four! All things, said they, must have names. But there are two sorts of things: 1. *Res quæ permanent.* 2. *Res quæ fluunt:* there must, therefore, be two sorts of words, or parts of speech: *viz.*

1. *Notæ rerum quæ permanent.*
2. *Notæ rerum quæ fluunt.*

Yet, as there were other words not included in these classes, they might be called particles, or inferior parts of speech; or, as they are constantly interspersed between nouns and verbs, *conjunctions or connectives.* This seems to have been the utmost progress that philosophical grammar had made till about the time of Aristotle, when a fourth part of speech was added — the *definitive* or *article.*

Here concluded the search after the different sorts of words, or parts of speech, from the difference of things; and there being no more than four differences of things, there could be but four parts of speech; and the difficulty now was, to determine to which of these four classes each word belonged. In this attempt, succeeding grammarians could neither satisfy themselves nor others; for they soon discovered some words so stubborn, that no sophistry or violence could by any means reduce them to any one of these classes. On this, they travelled backwards, and

being misled by the useful contrivances of language, they supposed many imaginary differences of things: and thus added greatly to the number of parts of speech, and, in consequence, to the errors of philosophy.

It is the opinion of our author, that it is in some measure with the vehicle of our thoughts, as with the vehicles for our bodies: necessity produced both. Abbreviations, he observes, are "the wheels of language," "the wings of Mercury." In short, the errors of grammarians have arisen from supposing all words to be *immediately* either the signs of things, or the signs of ideas: whereas, in fact, many words are merely *abbreviations* employed for dispatch, and are the signs of other words. These are the artificial wings of Mercury, by means of which the Argus eyes of philosophy have been cheated. The first aim of language was to communicate our thoughts; the second to do it with dispatch: and the invention of men of all ages, has been perpetually upon the stretch to add such wings to their conversation as might enable it, if possible, to keep pace in some measure with their ideas.

Chap. II, contains some considerations of Mr. Locke's *Essay on the Human Understanding*, the whole of which is here contemplated as a philosophical account of the first sort of abbreviations

in language. Had this great man been sooner aware of the inseparable connexion between words and knowledge, he would not have talked of the *composition of ideas*, but would have seen that it was merely a contrivance of language; for the only composition being in the *terms*, it is as improper to speak of a *complex idea*, as it would be to call a constellation a complex star; they are not ideas, but merely terms, which are general and abstract.

The *parts of speech*, form the subject of chap. iii, and the distribution for the two great purposes of speech, is here resolved into:

1. Words necessary for the communication of our thoughts; and,

2. Abbreviations, employed for the sake of dispatch.

In respect to the former of these, we are told, that in English, and in all languages, there are only two sorts of *words*, which are necessary for the communication of our thoughts, and these are nouns and verbs; by means of which alone, any thing can be related or communicated, that one can relate or communicate, with the help of all the others.

We are briefly informed, in chap. iv, that the noun is the simple or complex, the particular or general sign, or name of one or more ideas;

and, in chap. v, that the fate of that very necessary word the article, has been most singularly hard and unfortunate: "for though without it, or some equivalent invention, men would not communicate their thoughts at all; yet, (like many of the most useful things in the world,) from its unaffected simplicity and want of brilliancy, it has been ungratefully neglected and degraded. The latter has been considered, after Scaliger, as '*otiosum loquacissimæ gentis instrumentum;*' or, at best, as a mere *vaunt-courier* to announce the coming of his master: whilst the brutish inarticulate *interjection*, which has nothing to do with speech, and is only the miserable refuge of the speechless, has been permitted, because beautiful and gaudy, to usurp a place amongst words, and to exclude the article from its well earned dignity." It is observed soon after, "that the dominion of speech is erected upon the downfal of interjections;" and that, "the neighing of a horse, the lowing of a cow, the barking of a dog, the purring of a cat, sneezing, coughing, groaning, shrieking, and every other involuntary convulsion with oral sound, has almost as good a title to be called parts of speech as interjections have."

The four next chapters, relative to the word "THAT," "conjunctions," "etymology of the

English conjunctions," and "prepositions," had already been given to the public, in "A Letter to Mr. Dunning." Mr. Horne ridicules Mr. Harris, and all such as maintain that there are certain words, which, according to the different manner of using them, prove sometimes articles and sometimes pronouns. In his opinion, the word THAT, whether called article, pronoun, or conjunction, retains always one and the same signification. Unnoticed abbreviaton in construction, and difference of position, have caused this appearance of fluctuation, and misled the grammarians of all languages, both ancient and modern: for in all they make the same mistake. Is it not strange and improper that we should, without any reason or necessity, employ the same word for two different meanings and purposes? And is it not more strange, that this same impropriety, in this same case, should run through all languages? And that they should ALL use an *article*, without any reason, unnecessarily and improperly, for this same *conjunction*, with which it has no correspondence nor similarity of signification? Now does not the uniformity and universality of this supposed mistake and unnecessary impropriety, in languages which have no connexion with each other, lead us to suspect that this usage of the

article may perhaps be neither a mistake nor improper? But that the mistake may lie only with us, who do not understand it?

" *Example.*

" I wish you to believe THAT I would not wilfully hurt a fly."

" *Resolution.*

" I would not wilfully hurt a fly; I wish you to believe THAT (assertion.)"

Our author declines at present to account etymologically for the different words which certain languages may sometimes borrow, and employ instead of their own common article. This, indeed, is not an easy task, " for abbreviation and corruption are always busiest with the words which are most frequently in use: letters, like soldiers, being very apt to desert and drop off in a long march, and especially if their passage happens to lie near the confines of an enemy's country."

Under the head of conjunctions, we are told that IF is merely the imperative of a Gothic and Anglo-Saxon verb; and in those languages, as well as in the English formerly, this supposed conjunction was pronounced and written, as the common imperative GIF. Many other supposed conjunctions, such as, *but that, unless that*

though that, lest that, &c., are really verbs, put before the article THAT. AN is also a *verb,* and may very well supply the place of IF, it being nothing else but the imperative of the Anglo-Saxon verb ĀNAN, which likewise means to give or to grant.

Etymologists frequently expose themselves by unnatural conceits to derive the English, and all other languages, from the Greek or the Hebrew; but the particles of every language should teach them whither to direct, and where to stop their inquiries: for wherever their evident meaning and origin can be found, *there* is the certain source of the whole. As to the *abbreviations,* they are always *improvements* superadded by language in its progress, and are often borrowed from some other more cultivated tongue.

The two conjunctions YET and STILL, are two imperatives, which may very well supply each other's place, and be indifferently used for the same purpose. The word ELSE, formerly written alles, alyse, elles, els, is also an imperative, as well as THO, THOUGH, THAH, or, as our country folk more purely prononnce it, THAF, THAUF, and THOF.

BUT, is a word corruptly used in modern English, for *two* words (BOT and BUT) originally very different in signification. "Mr. Locke

missed the explanation; for he dug too deep for it. But that the etymologists, (who only just turn up the surface) should miss it, does indeed astonish me." BOT means to supply, to substitute, to atone for, to compensate with, to add something MORE in order to make up a deficiency in something else. BUT, as distinguished from BOT, and WITHOUT, have both exactly the same meaning, that is, in modern English, nothing more nor less than *be-out*.

LEST, for lesed, (as *blest* for *blessed*, &c.) is nothing else but the participle past, "and the improper use of this word, may be found in almost every author that ever wrote in our language."

Prepositions, like the conjunctions, are only words which have been disguised by corruption, and they are necessary, from the impossibility of having in any language a distinct *complex term* for each different collection of ideas. DO, the auxiliary verb, as it has been called, is derived from the same root, and is indeed the same word as TO. TILL is a word compounded of TO and WHILE, i. e. *time*, and should be opposed to FROM, only when we are talking of time, and upon no other occasion. The words OF and FOR are not synonymous; they differ as widely as cause and consequence.

The word FOR, whether denominated pre-

position, conjunction, or adverb, is here supposed to be a *noun*, and to have always one and the same signification, viz, CAUSE, and nothing else. BY, is the imperative of the Anglo-Saxon word beon, *to be*. BETWEEN, formerly written *twene*, atwene, *bytwene*, is a dual preposition. It is the Anglo-Saxon imperative *be* and *twain*. The prepositions BEFORE, BEHIND, BELOW, BESIDE, BESIDES, are merely the imperative BE compounded with the nouns FORE, HIND, LOW, SIDE. BENEATH is the imperative *be*, compounded with the noun *neath*. UNDER is nothing but *on-neder*. BEYOND, means BE PASSED. WARD, is the imperative of an Anglo-Saxon verb, signifying to *look at*, or to *direct the view*. ATHWART (i. e. *athweort*, or *athweoried*), wrested, twisted, curved, is the past participle of the Saxon verb, as are among, amingt, or amongst, &c.

Chapter X is dedicated to the consideration of adverbs. All those ending in LY, are indebted for that termination to the word *like*, corrupted. ADRIFT is the past participle *adrifed*; AGHAST, AGAST, the past participle agazed; AGO, the past participle AGONE, or GONE. GADSO, *i. e.* GAZZO, a common Italian oath, or rather obscenity. HALT, the imperative of the Anglo-Saxon *healdan*, whold, or keep; our English verb *to hold*,

is from the same root. *Lo!* is the imperative of *look*.

"I have avoided AYE and NO, because they are two of the most mercenary and mischievous words in the language, the degraded instruments of the meanest and dirtiest traffic in the land." Our AYE, or YEA, is the imperative of a verb of northern extraction; and means, *have it, possess it, enjoy it*. And YES, is *ay-es*, have, possess, enjoy *that*. NO, is a surly sort of word, the abbreviate of NOT; in the Danish, *nödig*; in the Swedish, *nödig*; and in the Dutch, *noode, node*, and *no*, mean *averse, unwilling*.

"And I hope I may now be permitted to have done with etymology; for though, like a microscope, it is sometimes useful to discover the minutest parts of language, which would otherwise escape our sight; yet it is not necessary to have it always in our hands, nor proper to apply it to every object." This volume concludes as follows:—"I know for what building I am laying the foundation: and am myself well satisfied of its importance. For those who shall think otherwise, my defence is ready made:—

"Se quista materia non è degna
Per esser pui leggieri
D'un hecom che voglia parer saggio grave,

Scusatelo con questo; che s'ingegna
Con questi van pensieri
Fare il suo tristo tempo piu suave:
Perche altrove non have
Don voltare il viso,
Che gli é stato interciso
Mostrar con altre imprese altra virtue."

Although greatly attached to etymology, it is evident that it never was Mr. Tooke's intention to assign the origin of all words without exception, but according to the project of a learned foreigner *, who himself had composed a treatise, many years before, on the mechanism of language, " to furnish philosophy with materials and observations for the purpose of elevating the grand edifice of the general theory of language." How far he has succeeded, may be seen by a reference to the principal parts of his argument; and although loose hints might have been found in, and were undoubtedly adopted from both the ancients and moderns, yet the palm of genius and originality is not to be conferred on the labourers who collect the rude materials of a building, but on the architect, who forms them into a beautiful and useful edifice.

His knowledge of the Greek, Latin, German, and Anglo-Saxon tongues, were highly ser-

* The President De Brosse.

viceable on the present occasion; his logical acumen, here found an ample field for display; while his legal studies proved eminently congenial to the purposes he had in view. — The first edition, which was published in one volume octavo, soon attracted general attention; it was afterwards enlarged, as well as improved, and contributed not a little to place his name in a high and exalted station in the literary world.

CHAPTER III.

FROM 1787 TO 1794.

Letter to the Prince of Wales.—Two Pair of Portraits.—Mr. Tooke retires to Wimbledon—Becomes a Candidate for Westminster—Petitions Parliament.—Trial with Mr. Fox—Is arrested, and committed to the Tower.

IN 1787, Mr. Tooke resumed his pen, with a view to illustrate a very delicate and critical subject which then occupied the whole attention of the public. This gave birth to the discussion of a question, not only intimately connected with the subject of private morals, but also with the succession to the throne itself. His opinions, which, as usual, were equally singular and ingenious, are contained in "A Letter to a Friend, on the reported Marriage of his Royal Highness the Prince of Wales *."

* An octavo pamphlet, published by J. Johnson, St. Paul's Churchyard, in 1787.

On this occasion, the grammarian of Wimbledon, alluding to a late publication of his own, humorously remarks, "that, after amusing himself with a number of critical discussions during the last summer, on the subject of nouns, pronouns, adverbs, and prepositions, in order to give a variety to his studies during the present, he has taken a political, but very uncourtly view of the nature, the extent, and the true signification of the *conjunction copulative*."

The policy, justice, and even the legality of the royal marriage* act, is here called in question by him. He ridicules the idea, "that a beautiful Englishwoman is unworthy to be the companion of an English prince, and positively denies the above statute to be binding; "for," adds he, "there are acts of parliament which are not laws. To enforce and elucidate this doctrine, he refers to the instance of *Bonham*, as stated by lord Coke, who asserts, "that, in many cases, the common law doth controul acts of parliament, and sometimes shall adjudge these to be void; for when an act of parliament," adds the lord chief justice, "is against common right or reason, or repugnant or impossible to be performed, the common law shall controul it, and adjudge such act to be void."

* 12th Geo. III.

An opulent commoner *, soon after, took up this subject in another place, and brought on a discussion, which led to some unpleasant disclosures. He proceeded on principles, however, diametrically opposite to those laid down by Mr. Tooke, who professed himself content "to barter the papist marriage for the responsibility of counsellors, and the independence of the representative body." Subsequent events have happily put an end to conjectures on a subject, which, although now devoid of interest, at that period created no small share of attention.

In the mean time, Mr. Horne Tooke, notwithstanding a difference in opinion as to the mode of conducting the Westminster election, remained firm in his attachment to Mr. Pitt, who still continued to promise in private, and pledge himself in public, to produce a reform in parliament. This was strongly evinced at the general election, in 1788, when Mr. Fox, aided by the great aristocratical families, found means to obtain the return of lord John Townshend, as his colleague. That event, which, for a time, revived the declining hopes of his party, seemed to appal and confound the ministers; on which

* Mr. (now lord) Rolle.

Mr. Tooke composed and printed his celebrated pamphlet, entitled "Two Pair of Portraits *."

The first of these consists of William Pitt, lord Chatham, and Henry Fox, lord Holland, who are characterised as diametrically opposite, both in principles and practice. The following extracts from the description of the second pair, will serve to convey an idea of the work, as well as the author's attachments and opinions, at this particular period.

FOX.	PITT.
"Entered early on the turf, at gaming-clubs, &c.	"Pursuing early the painful study of the laws and constitution of his country.
"Introduced, whilst a boy under age, into	"Pursuing his laborious profession at the

* "Two Pair of Portraits, presented to all the unbiassed Electors of Great Britain, and especially to the Electors of Westminster. By John Horne Tooke, an Elector of Westminster. Printed for Johnson. 1788.

The motto is:—

"Disce, puer, virtutem ex *his* verumque laborem:
Fortunam ex *illis*."

FOX.	PITT.
parliament, and speedily (though possessing a good fortune) to the lucrative office of a lord of the admiralty; in combination and confederacy with lord North, and those men who persecuted, and finally threw away America, and who, by their despotic principles, unconstitutional conduct, and corrupt profusion, are the cause of all our past disgrace and present aggravated burthens.	bar, and (though without fortune) refusing all office from both parties in administration, though invited and courted to accept it by Mr. Fox and others.
"By daily and unintermitted attendance, for years, at clubs and taverns, by noise, clamour, and party-violence, by intrigue, by hand-bills, by haranguing mobs, and all the	"By a choice congenial with his character, he solicited and obtained a quiet and honourable seat for the university of Cambridge; who revere and love his character, for

FOX.	PITT.
low arts too often attendant upon very popular elections, he obtained, and struggles hard to hold, a seat for Westminster.	they know it, having educated him.
"His foes (falsely *we hope*) reproach him with the *excess* (in which alone is contained all reasonable blame) of gaming, debauchery, &c.	"His foes (falsely *we fear*) reproach him with the excess of sobriety and continence.
"Were the charge true, the example of his success would be mischievous to the public, and his enjoyments at the expense of others: a conduct deserving censure.	"Were the charge true (from whatever cause it might spring) the example of his success would be useful to the public, and himself only the loser and sufferer: not to be blamed but pitied.
"His *friends* plead his *youth*, bad example,	"His *foes* were most violent against him,

FOX.	PITT.
and early bad connexions, as the only excuse they can offer for his conduct during all the first years of his political life.	when they had nothing but his *youth* to object. That same youth, which is the only excuse attempted for the acknowledged *bad* conduct of the one, is alone held forth *by the same men* as sufficient to tarnish the *good* conduct of the other.
"By every art, intrigue, and contrivance, he studies to banish from the minds of men all public motives and public principles, in exchange for party and cabal, for political and family connexions.	"With virtue and public principle, he dares, (as his father before him nobly declared)—'*to look the proudest connexions of this country in the face*,'
"In connexion and in OFFICE with lord North's administration, he vehemently vociferates, in the house of	"Acknowledges a voice of the people distinct from that of parliament. And when two opposite factions

FOX.	PITT.
commons, that the people have *no voice* but only within the walls of St. Stephen's.	corruptly, — greedily, and infamously united to form a majority in parliament, in order at once to overpower both king and people, he made a constitutional, honourable, and *effectual* appeal to that voice without.
" He asks — 'Who are the people?'	
" And answers — 'The parliament!'	
" Without any avowed, or even professed public principle as his object, declares for party; and that often changed.	" Without the proscription of any individual, as such, declares for principles; and those religiously adhered to.
" In coalition with lord North, cabals by a factious majority in parliament, to prevent the mutiny bill, and to stop the necessary supplies for the nation; that the distress and danger of national affairs, both at home and	" Risques popularity and the loss of office, to raise the necessary supplies, and impose unwelcome taxes on the people; in order to rescue the finances and credit of the country from the distresses and (otherwise inevitable)

FOX.

abroad, for money, credit, and defence against foreign enemies, might compel both king and people to admit our domestic enemies, Fox, North and Faction, into all the lucrative offices and governance of the state.

" Engaged in a fruitless and impossible attempt to raise the finances of his party to a level with their own boundless profusion and prodigality.

PITT.

ruin brought upon them by the enormous debt and arrears contracted by lord North and Faction.

" In spite of all factious opposition, has already, by an economical reform of abuses in the expenditure, and an active and enlightened mode of receipt, raised the revenues of the nation so much above its frugal, ordinary occasions, as to be enabled to apply some portion towards the discharge of the national debt; and, at the same time, to hold the country in

FOX.

PITT.

such a formidable posture of defence, as to secure it from all hostile menace and insult.

" When minister, planned, contrived, introduced, and, by a factious majority, carried through the house of commons, a bill to take possession of all the patronage and property of the East India Company; in order to establish a firm and permanent system of complete and irresistible parliamentary corruption, to bind, in everlasting chains, both prince and people.

This grand and audacious effort of human impudence and factious depravity, was defeated, once and for ever, by a

" When minister, with consummate ability, moderation, and caution, digested and introduced into the house of commons, a bill to restore to the people their just right of a fair representation, and permanently to rescue the parliament from all future corruption and faction.

" This salutary attempt (*the first of its kind by a minister*) was defeated, for the present, by Fox, North, and Co., but must hereafter succeed, because equally necessary and essential to the true

FOX.	PITT.
happy cooperation and junction of king and people."	interests and security both of king and people.

" THE AUTHOR."

The author concludes by putting the following pointed interrogatories to his readers: " You have here been presented with four portraits, (merely an assemblage of known indisputable facts.)

" 1*st question.* Which two of them will you choose to hang up in your cabinets; the PITTS or the FOXES?

" 2*d question.* Where, on your conscience, should the other two be hanged?"

Mr. Tooke, on this occasion, must be allowed to have handled his pencil, and distributed his colours, with equal facility and success. It will be readily conceded, however, by liberal men of all parties, that the errors of Mr. Fox's political life are here greatly heightened and overcharged; and that his father's supposed transgressions, are rather unfairly copied, and transferred by the hand of a master, for the express purpose of rendering the caricature of the son still more frightful.

We are told, that these two portraits, though

not *whole lengths*, are "left for some younger hand hereafter to finish." Had he himself chosen, but a few years after, to have resumed his labours, for the purpose of completing these pictures, it is more than probable that almost every feature would have been altered; and, if the tints in Mr. Fox's complexion would not have been much softened or improved, the countenance of Mr. Pitt, most probably, would have been rendered hideous.

In the trial of Mr. Hastings, which occurred about this period, he took no part whatsoever; and this, perhaps, is the only great national concern, during his whole life, in which he remained neutral. Of the measure itself, there is some reason to think, that he did not disapprove, for he was a great advocate for "impeachment;" but he greatly blamed the multitude of the charges; the looseness with which they were penned; the time lost in long speeches and addresses to the passions; and, above all, the new mode thereby introduced, of protracting a trial to such an extent, as to prove ruinous to the fortune, and coequal to the existence of any ordinary individual. However culpable the ex-governor-general might be, in the eye of the public, yet, when he emphatically observed, on the 2d of June, 1791, before his assembled

judges, in Westminster Hall: "I gave you all, and you have rewarded me with confiscation, disgrace, and a life of impeachment:" a man worn out by ten years' infirmities and persecution, could not fail to make a deep impression on his judges.

Mr. Tooke thought a single day was sufficient for the detection of the guilt, if it really existed; and, in that case, he was "for punishing the receiver, and restoring the stolen property to the right owners!"

As for the claims of the East India Company to the countries conquered by arms, or obtained by concession, in the East, he treated these with great contempt; and no court lawyer, nor attorney-general, that ever existed, could be a greater stickler for the right of the crown to the territorial dominions. He never could think, without indignation, of a body of "merchant adventurers," as they are designated in their charters; "who, in England traders, in Asia sovereigns, exercised a mixed and new fangled species of authority, consisting of fraud and force, by means of which emperors, rajahs, and nabobs, were set aside, with the same unconcern as a bale of cotton, for the sole purpose of enriching clerks, servants, and dependents!"

In 1790, an event occurred, well calculated to

display the humanity of the subject of this memoir. Mr. Gow, a watchmaker, in Duke Street, St. Martin's Lane, waited one morning on him, while he still resided in Richmond Buildings. After apologizing for the intrusion of a stranger, he observed: "That his own brother, and several other passengers, had been taken on board an American ship, by a *corsair*, and carried into Algiers, where they were detained as slaves; and that he had been induced, by Mr. Tooke's high reputation, to crave his advice and assistance, on this trying occasion, as to the best means to be adopted for their liberation."

Mr. Tooke, on this, recommended him to apply to the privy council, "who, doubtless, ought, and assuredly would afford redress." On being assured, however, that this very method had been already attempted in vain, he then added, "that there was but one other mode, and that was to ransom the captives." He accordingly appointed an attorney, as agent, to receive relative of donations, and began by subscribing a sum of money himself. After this, he applied to others; and his friend general Murray, a relative of the duke of Athol, generously deposited twenty-five pounds for the same purpose. It is grateful to relate, that this beneficent plan proved successful; and that the brother of Gow,

become an Algerine in dress and manner, after being thus redeemed from slavery, soon after waited on his benefactor, and returned him thanks in person.

On hearing this incident, Mr. Hardy, who was afterwards arraigned with Mr. Tooke, immediately called on this gentleman, in the name of Mr. Gow, the watchmaker, and presented him with the rules of the London Corresponding Society*, for the purpose of receiving his corrections. This was accordingly done soon after; but on that, as on all other occasions, he openly and candidly declared his dissent from the doctrine of "universal suffrage," and even hesitated, as to the propriety of "annual parliaments."

* Of the origin and progress of this club, I am enabled to give the following authentic account:—Mr. Thomas Hardy, a shoemaker, then residing in Westminster, being captivated with the scheme of representation propagated by the late duke of Richmond, conceived the first idea, and became the promoter of this association in 1791. At a supper given in his own house, to two or three neighbours, he detailed his plan, which, meeting with their entire approbation, each was desired to bring a friend with him to the Bull public house, in Exeter Street. They accordingly repaired thither, to the number of nine, on the evening appointed, when eight concurred in the scheme proposed, and subscribed a penny each, for the propagation of their political principles, which consisted, as has been already stated, of a reform, comprehending annual parliaments and universal suffrage. At the next meeting, the ninth person, who had taken time to deliberate,

We have now arrived at a remarkable period in the life of Mr. Horne Tooke; for, in 1790, he himself became a candidate to represent the city of Westminster. He had formerly opposed Mr. Fox, and supported lord Hood: but, on the present occasion, he was the declared opponent of both. His motives will be best explained in the following advertisement, which was not published until the morning of the election.

together with many new members, attended, and from these small beginnings originated a society, which in the course of a few years amounted to between twenty-five and thirty thousand.

The fund arising out of a penny, regularly deposited by each of the associates, was expended for the purpose of making converts to the doctrines alluded to above, chiefly under the inspection of Mr. Hardy, who had been elected secretary. Having assumed the name of the "London Corresponding Society," they by degrees became affiliated to the "Constitutional" and a variety of other clubs, both in town and country. As their scheme excluded none but females, and such males only as were rendered unfit either by infancy or mental incapacity, from exercising the elective franchise, it is but little wonder, that it soon became popular. In a short time, many indiscreet and unworthy persons were of course admitted, and it cannot be doubted, that in a promiscuous assemblage of this kind, men were to be found, who formed designs, and propagated opinions, highly detrimental to the public security. Meanwhile, by forming them into divisions, and placing a confidential delegate at the head of each, order was in some degree restored; but the whole was thus converted into a most formidable political engine, directed by those who presided at the *central board*, and connected with other similar associations, to the amount of nearly half a million of members.

"TO THE ELECTORS OF WESTMINSTER.

"GENTLEMEN,

"I think it my duty, on the present occasion, to solicit your votes, to represent you in the ensuing parliament.

"The evident junction of two contending parties, in order to seize with an irresistible hand the representation of the city of Westminster, and to deprive you even of that shadow of election, to which they have lately reduced you, calls aloud on every independent mind to frustrate such attempts, and makes me, for the first time in my life, a CANDIDATE.

"I do not solicit your favour, but I invite you, and afford you an opportunity to do yourselves justice, and to give me an example (which was never more necessary) against the prevailing and destructive spirit of personal party, which has nearly extinguished all national and public principle.

"The enormous sums expended, and the infamous practices at the two last elections for Westminster, — open bribery, violence, murder, with the scandalous chicane of a tedious, unfinished, and ineffectual scrutiny, and a te-

dious, unfinished, and ineffectual petition, — are too flagrant and notorious to be denied or palliated by either party; and the only refuse of each has been to shift off the criminality upon the other. Upon whom and how will they shift off the common criminality, equally heavy on them both, that neither of them has made even the smallest attempt, by an easy, parliamentary, and constitutional method, to prevent the repetition of such practices in future?

"If the revenue is threatened to be defrauded in the smallest article, law upon law, and statute upon statute, are framed from session to session, without delay or intermission. The country swarms with excisemen and informers, to protect it. Conviction is sure—summary—speedy; — the punishment, outlawry and death. Where, amongst all their hideous volumes of taxes, and of penalties, can we find one salutary statute, to guard the right of representation in the people, upon which all the right of taxation depends?

"Your late representatives, and your two present candidates, have, between them, given you a complete demonstration that the rights of electors (even in those few places where any election appears to remain) are left without

protection, and their violation without redress. And for a conduct like this, they who have never concurred in any measure for the public benefit, they who have never concurred in any means to secure you a peaceable and fair election, after all their hostilities come forward, hand in hand, with the same general and hacknied professions of devotion to your interest, unblushingly to demand your approbation and support!

"Gentlemen, throughout the history of the world, down to the present moment, all personal parties and factions have always been found dangerous to the liberties of every free people; but

THEIR COALITIONS,

unless resisted and punished by the public, are certainly fatal. I may be mistaken; but I am firmly persuaded, that there still remains in this country a public, both able and willing to teach its government, that it has other more important duties to perform, besides the levying of taxes, creation of peerages, compromising of counties, and arrangement of boroughs. With a perfect indifference for my own personal success, I give you this opportunity of commencing that lesson to those in administration, which it is high time they were

taught. The fair and honourable expenses of an election (and of a petition too, if necessary) I will bear with cheerfulness. And if, by your spirited exertions to do yourselves right, of which I entertain no doubt, I should be seated as your representative, whenever you shall think you have found some other person likely to perform the duties of that station more honestly and usefully to the country, it shall, without hesitation, be resigned by me, with much greaterpleasure than it is now solicited.

"I am, gentlemen,

"Your most obedient servant,

"JOHN HORNE TOOKE."

"*Wednesday, June* 16, 1790."

It is not a little remarkable, that on this occasion, Mr. Tooke evinced a talent for popular oratory, and seems to have made a far greater impression on those who either stood on or surrounded the hustings, than either of his competitors. His efforts were chiefly directed against Mr. Fox, whom he repeatedly upbraided on account of his unnatural alliance with lord North. He loudly condemned him also for the political sins of his youth, and now in vain attempted to

extract a pledge for parliamentary reform, at a more mature age.

In fine, this candidate, who had spent his time of late chiefly among books and in the privacy of retired life, readily adapting himself to his new situation, was listened to with general attention, and greeted with loud applause. His humour, too, designedly broad and ludicrous, was singularly apposite as well as successful on the present occasion, and his remark, on Mr. Fox one day retiring, and consigning the hustings to the care of Mr. Sheridan, "that when the quack doctor withdrew, he always left his merry andrew behind him," attracted reiterated plaudits from the surrounding crowd.

At this period, he appears to have been supported by only one man of any consequence. This was lieutenant-general Melville, who, after proposing a test, pledging a repeal of the septennial act, and a due obedience to the instructions of their constituents, to the other candidates, in vain, gave his single vote to Mr. Tooke, as he alone had consented to sign it.

On this occasion, too, the subject of this memoir, at least afforded an edifying example, as to the manner of conducting an election, for he kept faithful to his promise, that he would not open a house for the purpose of treating the

electors, give away a single cockade, or be at any other expense, than that of advertisements.

It may be readily supposed, that the efforts of this third candidate did not prove successful. Yet the appearance on the poll was far greater than might have been supposed, in consequence of the pretensions of a single individual, destitute alike of fortune and connexions, and who had most unexpectedly offered himself to public notice. Indeed it will afford occasion for no small degree of surprise, that he should have been able to contend, but for a moment, with the treasury and the Whig Club, the administration and the opposition, for the representation of a great city, which was the seat of government, and the residence of all the great aristocratical families in the kingdom. Notwithstanding this imposing mass of influence, he polled near seventeen hundred unsolicited electors, while the sum total of his expenses amounted to no more than twenty-eight pounds.

At the conclusion of the contest he published the following address:

"TO THE ELECTORS OF WESTMINSTER.

"My mind, gentlemen, is filled with satisfaction and delight: the factions of this country will soon be, where they ought to be, at the feet of the public. Their lords, their dukes, and their princes, have been compelled by you to combine, and openly to exert their utmost influence against the smallest and most unconnected individual in the land. Truth, and a clear principle, have served as a sling and a stone; and, with these in our hands, we have not been dismayed, and we will not be dismayed, at the most formidable political adversaries.

"Individually feeble, and, till this moment, totally strangers to each other, we have, in seventeen days, restored more principle to the public mind, than they have been able to destroy in more than seventeen years. I came down to this contest, gentlemen, single and alone, without communication, consultation, or notice of any sort to any one creature upon the face of the earth; without the smallest support; an object of the scorn, brutality, and derision, of a band of ruffians, who surrounded me. When,

on the first day of election, I polled twenty-two votes, they were exactly two and twenty more than I expected. I continued many days on the hustings contentedly and cheerfully polling my score a day.

"Now, how do I retire? with sixteen hundred and seventy-nine awakened and approving electors, who are neither to be influenced by hope or by fear, by administration, or opposition; and with the hearts and inclinations of more than three fourths of the real electors who have given their votes against me, and of ninety out of a hundred of those who have not voted at all.

"Gentlemen, I do not consider what has been passing before us as any real election. As things at present are managed, it is impossible that the real electors of Westminster should enjoy even that pitiful share of representation which is nominally left them. I trust I shall be the means of doing away for ever the infamies of what is called a Westminster election.

"The sacrifice which I have already made is, personally, very important to me; but, I will go further, I will present a petition against the return of Mr. Fox and lord Hood to parliament. And I will endeavour to extort, by

shame, from those whom no engagements, no honour, no sense of public justice, or of public decency can move; I will endeavour, by shame, to extort redress, and a peaceable, quiet election in future, without perjury or bloodshed, for the real electors of Westminster.

"Gentlemen, whenever, by some new coalition, which probably is not far distant, some consequent preferment shall vacate Mr. Fox's seat for Westminster, I shall again present myself to you for your choice.

"I am, gentlemen,

"Your most obedient servant,

"JOHN HORNE TOOKE."

This was soon after succeeded by the following singular petition:

"*To the Honourable the Commons of Great Britain, in Parliament assembled.*

"The Petition of John Horne Tooke, esq.

"Sheweth,

"That your petitioner now is, and at the time of the last election for Westminster was, an elector for Westminster, and a candidate to represent the said city and liberty in the present parliament.

"That in the said city and liberty there are seventeen thousand two hundred and ninety-one householders, rated in the parish books, unrepresented in parliament, and without the means of being represented therein, although, by direct and indirect taxation, they contribute to the revenue of the state very considerably more than those who send a hundred members to parliament.

"That at each of the three last elections for Westminster, *viz.* in 1784, in 1788, and in 1790, notoriously deliberate outrage and purposely armed violence was used, and at each of these elections murder was committed.

"That for these past outrages, as if there was no attorney-general, no government, and no legislature in the land, not the least redress has been obtained, nor the least punishment, not even the least censure, inflicted; nor has any remedy whatever been appointed or attempted, to prevent a repetition of similar outrages in future.

"That at the election for Westminster in 1784, a scrutiny was demanded in behalf of sir Cecil Wray, which was granted on the 17th of May, 1784, and, with the approbation or direction of the then house of commons, was continued till the 3d of March, 1785, when a very small comparative progress having been made,

(*viz.* through the small parish of St. Anne, and not entirely through St. Martin's, leaving totally untouched the parishes of St. George, St. James, St. Margaret, St. John, St. Paul Covent Garden, St. Mary le Strand, and St. Martin le Grand,) the said scrutiny was, by the direction or approbation of the house of commons, relinquished, without effect, after having lasted ten months, and with an expense to sir Cecil Wray of many thousand pounds more than appears by some late proceedings in chancery to be the allowed average price of a perpetual seat in the house of ————, where seats for legislation are as notoriously bought and sold as stalls and standing for cattle at a fair.

"That on the election for Westminster in 1788, there being an absolute and experienced impossibility of determining the choice of the electors by a scrutiny before the returning officer, a petition against the return was presented to the then house of commons by lord Hood, and another petition also against the return was presented by certain electors of Westminster; and a committee was consequently appointed, which commenced its proceedings on Friday, April the 3d, 1789, and continued till June 18, 1789, when the committee, as able and respectable as ever were sworn, to try and determine the

matter of any petition, on their oaths, 'Resolved, that, from the progress which the committee have hitherto been able to make since the commencement of their proceedings, as well as from an attentive consideration of the different circumstances relating to the cause, a final decision on the business before them cannot take place in the course of the present session; and that not improbably the whole of the present parliament may be consumed in a tedious and expensive litigation.

" 'Resolved, That from the necessary length of the preceding, and from the approach of the general election, which must occur, not later than the spring of 1791, (nearly two years more,) the prosecution of the cause, on the part of the petitioners, promises to be fruitless, as far as it respects the representation of Westminster in the present parliament.

" 'Resolved, That it be recommended to the petitioners to withdraw their petitions under the special circumstances of the case.'

"That (notwithstanding this extraordinary and perhaps unparalleled application from a court of justice to its suitors) lord Hood and the other petitioners having refused to withdraw their respective petitions, the proceedings of the committee continued till July the 6th, 1789, when, a

very small comparative progress having been made, the petitioners, from a conviction of the impossibility of any decision by the committee, were compelled to abandon their petitions without any effect, or tendency towards effect, after a tedious and expensive litigation of three months and three days, and with an expense to the candidate of more than fourteen thousand pounds.

"That under these circumstances, as the petitioner declined demanding a scrutiny before the returning officer, so he is compelled to disclaim all scrutiny before a committee of the house of commons; for although the act of the 10th of George II, by which the said committee is appointed, recites in its preamble, that, 'Whereas the present mode of decision upon petitions complaining of undue elections, or returns of members to serve in parliament, frequently obstructs private business, occasions much expense, trouble, and delay, to the parties, &c., for remedy thereof, &c.,' yet it would be less expensive and less ruinous to the petitioner to be impeached, even according to the present mode of conducting impeachments, and to be convicted, too, of real crimes, than to be guilty of attempting to obtain justice for himself and the injured electors of Westminster, by the only mode which the new remedial statute

of the 10th of George III, has appointed for that purpose; however well adapted that mode of decision may be to settle the disputed claims of the proprietors of small boroughs, for whose usurped and smuggled interests alone the framers of the bill, and of those bills which have since been built upon it, seem to have had any real concern.

"That by the 9th of Anne, chap. 5th, the right of electors (before unlimited by qualification in the objects of their choice) is restricted in cities and boroughs to citizens and burgesses respectively, having an estate freehold or copyhold, for their own respective lives, of the annual value of three hundred pounds above reprizes. That this very moderate restriction, however vicious in its principle, leaving all citizens and burgesses eligible possessing life estates, freehold or copyhold, of the annual value of three hundred pounds, will henceforth only serve as a snare to the candidate and a mockery of the electors, if such candidate, possessing a life estate of three hundred pounds a year, must expend fifty thousand pounds (and there is no probable appearance that a hundred thousand pounds would be sufficient) in attempting, by a tedious, expensive, and ineffectual liti-

gation, to sustain the choice of his constituents, and to prove himself duly elected.

" That though your petitioner complains (as he hereby does) of the undue election and return of lord Hood, and the right hon. Charles James Fox, to this present parliament, for the city and liberty of Westminster, yet is your petitioner, by a persecution and proscription of more than twenty years, disabled from making that pecuniary sacrifice which by the present new mode of investigation is (and ought not to be) necessary, effectually to prove such undue return; and yet your petitioner fully trusts, that, notwithstanding a very great majority of the house of commons (for so it continues to be styled) are not as they ought to be, elected by the commons of this realm, (in any honest meaning of the word 'commons;') and must, therefore, naturally and necessarily have a bias and interest against a fair and real representation of the people, yet your petitioner fully trusts that he shall be able to lay before 'a committee, chosen and sworn to try and determine the matter of this petition, evidence of such a nature as the committee will, on their oaths, think proper to report to the house some resolution or resolutions, other than the determina-

tion of the return; and that the house will make such order thereon as to them shall seem proper.'

"And your petitioner doubts not, that, as an elector at least, he shall in consequence receive such redress as will be much more important to him, and to the electors of Westminster, than any determination of the return.

"JOHN HORNE TOOKE."

Notwithstanding this petition was deemed highly indecorous by the speaker, and several of the members were adverse to its reception, yet, on a recommendation from the chair, it was read at the table, and a day fixed for taking it into consideration. Accordingly, a committee being nominated for that purpose, a report was soon after delivered to the house, pronouncing it to be "frivolous and vexatious *."

* The act relative to frivolous and vexatious petitions was introduced in consequence of the conduct of a Mr. alderman Woldridge, who offered himself a candidate for the borough of Abingdon, in 1780, in opposition to Mr. Mayor, without any pretensions whatsoever. Having lost his election, he petitioned the house of commons; but, on a committee being nominated to take his supposed grievances into consideration, he abandoned the prosecution, having neither counsel, attorney, nor evidence ready. A special report was made in this case; and from this *single precedent*, originated an act of parliament, declaring, that in cases where a pe-

By a late act of parliament, the successful candidates were, in such cases, entitled to damages; and, although lord Hood refused to take advantage of its provisions, yet Mr. Fox, soon after, was induced to bring an action, in the court of King's Bench, against the petitioner, for the sum of one hundred and ninety-eight pounds two shillings and twopence, being the amount of the taxed costs of the expenses incurred.

The trial did not, however, take place until April 30, 1792, when Mr. Garrow opened the case for the plaintiff, and Mr. Erskine contented himself with stating this to be an action of debt, to recover the amount of a sum of money, certified under the warrant of the speaker of the house of commons.

Mr. Horne Tooke, the defendant, then rose, and spoke as follows:

"Gentlemen of the jury, we are called upon this day, both you and I, to perform a very important business of great national concern: the memory of which, I will venture to foretel, will

tition should be voted "frivolous and vexatious," the petitioner should pay all costs.

As this deprived the supposed delinquent of the benefit of an appeal to a jury, and rendered a committee of the house of commons the arbiters of his fortune, it was always considered by Mr. Horne Tooke, as a measure, at once arbitrary, unjust, and unconstitutional.

not be buried with ourselves; nor will its consequences finish with your verdict.

"In the performance of this duty to our country, I must beg you to observe, and carefully to remember it to the end, that there are only three efficient and necessary parties; Mr. Fox, the plaintiff; myself, the defendant; and you, gentlemen, the jury. The judge and the cryer of the court attend alike in their respective situations; and they are paid by us for their attendance; we pay them well; they are hired to be the assistants and reporters, but they are not, and they never were intended to be the controulers of our conduct. For the whole of this business is comprised in Mr. Fox's action, in my defence, and in your verdict.

"Mr. Fox's part is the first: and in bringing this action against me he has discharged the duty of an honest man; and for this at least he deserves the thanks of the public; for you will very much wrong us both, both him and me, if you imagine there is any thing mean, or personal, or mercenary, in this question, which you are now to decide between us. No. It is not that he may gain, or that I may save these two hundred pounds, that is by any means the ultimate object either of his action, or of my defence. A great and important national right is

at stake. The last and only security which the full-grown corruption and iniquity of the times have left to the people of this land for their lives, their liberties, and their property, this last and only security — a *real* trial by a jury of our country — is now attempted to be wrested from us.

"I do not with certainty know, but I am firmly persuaded, that the plaintiff and myself shall not be found finally to differ in our sentiments on this question: and I should be highly gratified, if, instead of being the plaintiff, Mr. Fox himself was one of the present jury now to decide it. But he has performed the whole of his duty on this occasion; and in bringing this action against me, he has afforded to us, with whom alone it now remains, a desirable opportunity of discharging our duty also.

"For myself, with all possible plainness, I will endeavour, as briefly as I can, to discharge my part of this duty to our country. And I trust that you will, as serious and honest men, discharge your duty also, conscientiously and faithfully."

After this introduction, Mr. Tooke stated, that it suited the views "of the two factions who had been long contending, and still continue to contend, for the plunder and patronage of

the country," in 1784, to dispute the representation of the city of Westminster. The consequences were, the most scandalous bribery, the most shameful perjury, the most cruel and audacious riots, and, finally, murder. In 1788, the factions again contended with each other, for the same object, when the consequences and means were exactly as before: and, in the space of four years, two hundred thousand pounds were distributed among the most worthless of the populace.

Having here asserted, that the ministerial side raised their portion of the expenses by a subscription among the members of the public boards, whom he now named, he was called to order by lord Kenyon, the presiding judge, who was pleased to observe, that "a court of justice was not a place for calumny." On this, the defendant, with great readiness, retorted, that if, under pretence of a defence, he uttered any thing punishable by the laws of the land, he was liable to chastisement; and if by calumny was meant *falshood*, then his lordship had calumniated him.

After an explanation from the bench, in which such an idea was formally disavowed, Mr. Horne Tooke restated his former assertions, and observed, that the duke of Richmond had contributed five hundred pounds; the duke of New-

castle, five hundred pounds; the lords of the treasury, two hundred pounds each; the lords of the admiralty, one hundred and fifty pounds each, &c. &c.

"I myself took a part, and a very strenuous part, in the election of 1788; and I, too, was bribed; for promises are bribes; and I was promised two important things, by persons, who, from their stations and situations, were well able to fulfil their promises. And I will tell you what the bribes were to me:—I was assured that two things should most undoubtedly follow—prosecution and punishment upon the offenders, to deter them in future from the commission of such outrages, such perjury, and subornation of perjury; and an act of parliament, as well as parliamentary regulations, to make the repetition of such infamous practices impossible in future: and thus to restore a fair and quiet and real election to the people of Westminster. I received the promises, but never received any thing like a fulfilment of them; for, instead of a prosecution of the most atrocious offenders, against whom the evidence was ample, full, and complete; and, instead of any parliamentary regulations, to prevent these perjuries and subornations of perjury, and these outrages and slaughters in future; a COMPROMISE took place be-

tween the factions; they had effectually excluded, as they had reason to think, all the rest of the world from disputing an election in Westminster with them, at such an enormous expense, and without any possibility of deciding the merits of the return. But finding the expense of contending this one single seat too great even for themselves to continue, they imitated the decision, which, I think, is called the *wisdom* of Solomon—they cut up the living object for which they had contended, and divided it between them. Cruel enough! but no wonder—they had mangled it before in the struggle.

"Well, gentlemen, the representation for Westminster was now, to all appearance, effectually annihilated. Who would contest? Who could contest it with them? There was no third faction in the country strong enough to contend with either of them: where, then, was one to be found, which could contend with a confederacy of both? They never could foresee, such mercenary dealers as these could not even imagine, that any single individual would be so disinterested, or, in their language, so mad, as to sacrifice himself, by becoming a candidate at such an election, where it seemed absolutely impossible to succeed, and yet it was

that very notion of *theirs* which made me a candidate for Westminster. It was just at that period, the last office in the world which I should have wished to undertake; and nothing but the infamy of their conduct made me a candidate; the very methods they took, and by which they hoped to deter all men, determined me. For they were not contented with this compromise alone. It did not satisfy them only to be sure of their present object; but they must also secure the continuance of possession, and guard, as they thought, against all future possible molestation and expense. To make, therefore, security itself still more secure — to cut off all possible contest—and farther, to discourage all independent interference; in 1789, upon the very heels of lord Hood's expensive and ineffectual petition, they passed that act of parliament. The *frivolous* and *vexatious* act, upon which this present action is brought."

He then proceeded to inquire, whether any body of men should be permitted to stretch out their sacrilegious hands to ravish the sacred right of "trial by jury?" "Shall they first take away from us, with impunity," adds he, "all the benefit and advantages of a representation, and after that, snatch from us all the benefit and advantage of juries? And shall we, with-

out a struggle proportioned to the importance of the benefits, tamely suffer our safety, security, and peace, to be all torn away from us together? A jury not entitled to inquire into the merits of the question brought before them, nor into any thing that relates to the merits, is no jury at all; nor can it, in any respect, answer the object of their appointment; and any jury that shall give a verdict against any defendant, without having first, according to the oaths of the jurors, *well and truly tried* the question at issue between the parties, is a perjured jury."

He then quoted Blackstone, to prove, that it was their duty to guard, with the most jealous circumspection, "against the introduction of new and arbitrary methods of trial;" and in the course of his speech, pronounced an eulogium on the constitution, asserting, "that if rational, and dispassionate, and experienced men, were at liberty to begin again, they would, by choice, and wisely, again establish hereditary kings and hereditary lords."

"Now I desire you will reflect," added he, "what proofs of the debt have been brought before you. An examined copy of the journals of the house of commons, and the speaker's certificate, have been produced. But what are you

to try and examine? The speaker's certificate! If the speaker's certificate is sufficient to take away our property, why should not the speaker's certificate be followed by an execution? What occasion is there to call a jury together to try nothing? And yet to make them solemnly swear to try *well* and *truly*? I ask again, unless it was for the purpose of perjuring a jury, why might not the execution have immediately followed the speaker's certificate, as well as your verdict? Why? there was no reason upon earth but one. It was done to colour the transaction. They are not yet quite ripe enough to strip from us at once (and let us know it at the time) our right to a trial by jury. But they have completely done it in effect. They have left us the jury, but taken away the trial!

"They have, by a subterfuge, taken away the trial, which is the important part, and left us the jury, which, without trial, is a mere mockery.

"As men, then, as Englishmen, as Christians, if you have any sense of any other tie or religion, you are compelled to pay a sacred regard to that oath which you have sworn, that you *will well and truly try*, and that your verdict shall only be in consequence of having well and truly tried the merits of the question. Where

crime is the question, the jury must judge of the guilt charged, and of its extent; and in actions for property, they must judge whether any thing is really due, and to what amount; for if the jury are not to try and decide upon the whole merits of the question before them, no man in this country can be safe, in life or property, for ever hereafter.—Gentlemen, you are all strangers to me; you ought to be, and I believe you to be twelve good and honest men: and if you are so, and act and do your duty accordingly, I will venture to say, you will sleep this night more happily, and with more satisfaction, than ever you slept in your lives."

After a charge from lord Kenyon, who is said to have shed tears during one part of the trial, the jury retired; and, as they could not agree, the court adjourned. At length, at ten o'clock at night, they delivered in a verdict for the *plaintiff*.

In 1792, Mr. Tooke resigned the lease of his house in Richmond Buildings, to a friend, and repaired to a neighbouring village, which, thenceforth, became his constant residence. He had now attained the age of fifty-six, and was subject to a multitude of infirmities. The air of the metropolis had never agreed with him, and he had longed, for several years, to return

to the country, where he could breathe a freer atmosphere, and enjoy scenes and occupations, which were dear to him. In addition to this, he had always been attached to horticulture, and was desirous to spend the remainder of his days in cultivating his flowers, superintending the management of his fruit-trees, and in regulating the economy and disposition of his esculents. The rearing of cauliflowers and cabbages, the planting of gooseberries and currants, the production of onions and radishes, may appear to some unworthy of the attention of a philosopher; but the truth is, that he took great delight in these matters; and it requires not the precedents of the elder Cato, in his decline, or Cincinnatus, in the prime of life, either to justify or dignify such innocent and useful recreations.

His house at Wimbledon, which was sufficiently capacious for a larger family and a better fortune, was detached, and pleasantly situate. Two fields in front enabled him to keep a couple of cows, and he busied himself not a little in providing a large store of parsnips for their supply of food during the winter. His gardens were both large and commodious, and he employed sometimes one, and sometimes two persons in them.

He also possessed a small, but valuable collection of books; and he amused himself with the conversation of the two miss Hartes, although they were still children. His friends frequently visited him, and Sunday soon became a day consecrated to hospitality. He himself frequently repaired to town, and he appears, at this period to have regularly attended the meetings of the "Constitutional Society." In short, although removed a few miles from the scene of action, politics and literature were still his favourite amusements, and he continued, as before, to take a lively interest in all the occurrences of the times.

Of these, the French revolution was of course the most prominent. Let not those, who, judging by subsequent events, may be disposed to compare it with Pandora's box, not only replete with all manner of evils and mischiefs, but even destitute of the hope calculated to assuage them, decide too hastily on this occasion. That wonderful event, at the period alluded to, presented itself in the most alluring attitude: for it exhibited the singular example of a great nation, anxious to limit but not destroy the power of its kings, as well as the privileges of its nobles, and eager to adopt the happier constitution of this country, as a model for its future government.

Mr. Tooke was not one of the last to afford his approbation. Naturally of a warm and sanguine temperament in respect to every thing connected with liberty, he augured the happiest results from, and gave his unqualified assent to, the proceedings of the Parisians. The capture of the Bastille was of course a subject of triumph, and he ordered a fragment of that imposing mass, employed for the purpose of overawing and keeping the capital in slavery, to be deposited in a conspicuous place in his study.

But notwithstanding this, at a meeting convoked soon after, for the purpose of celebrating that event, he controverted several of the principles laid down by colonel Miles, as tending to anarchy, and actually employed his nephew to distribute letters containing his sentiments on this subject among the editors of the daily newspapers. On the 14th of July, 1790, which was the first anniversary dinner, and at which the earl of Stanhope presided, he once more evinced his unvaried attachment to the constitution of his native country. Accordingly, when Mr. Sheridan moved a resolution *, highly compli-

* Copy of Mr. Sheridan's motion :—

"That this meeting does most cordially rejoice in the establishment and confirmation of liberty in France; and that

mentary to the French revolution, he expressed a strong desire that some qualifying expression might be added, to this general motion of approbation, and insisted, "that the English nation had only to maintain and improve the constitution which their ancestors have transmitted to them." This position, although at first opposed, with tumult and vehemence, in consequence of his arguments and perseverance, was at length carried unanimously.

It could not escape his discernment, however, that a war between the two countries was not far distant; and he did every thing in his power to avert so great an evil. Accordingly, he endeavoured to awaken the nation at large to a sense of their danger. He also employed all his influ-

it beholds, with peculiar satisfaction, the sentiments of amity and good will which appear to pervade the people of that country towards this kingdom, especially at a time when it is the manifest interest of both states that nothing should interrupt the harmony that at present subsists between them, and which is so essential for the freedom and happiness, not only of both nations, but of all mankind."

Copy of the amendment proposed and carried, as a separate resolution, by Mr. Horne Tooke:—

"We feel equal satisfaction that the subjects of England, by the virtuous exertions of their ancestors, have not so arduous a task to perform as the French had; but have only to maintain and improve the constitution, which their forefathers have transmitted to them."

ence with the "Constitutional Society" to use all possible means to prevent a rupture; and although he differed with the leading members of the "London Corresponding Society," in respect to their impolitic propositions relative to annual parliaments and universal suffrage, yet he gave his warmest support to the plans adopted by them, to render such a measure unpopular.

On the other hand, the ministers were not idle; and the violence and gross misconduct of some of the partisans of French liberty, afforded a colourable pretext, at least, for the events that ensued. Accordingly, rumours of plots and conspiracies were propagated; the parliament was suddenly convoked; the Habeas Corpus Act was suspended; the Tower of London was fortified, and preparations seemingly indicative of civil war actually took place.

The execution of Louis XVI became the signal for hostilities. This unfortunate event, instead of rendering the nation unanimous, seemed but to increase the public discontent; and many began to predict great and sudden changes. But notwithstanding the alarming situation of affairs, no serious explosion could possibly have taken place Projects, discountenanced by the government, and the laws, and not generally adopted by the nation, must

have evaporated, as usual, in the ebullition of popular paragraphs and tavern-dinners, while a militia, officered by men of fortune, and an army, faithful to its interests and its oaths, surrounded and supported the throne.

On the other hand, it is not to be supposed that Mr. Pitt, whose father had been the original author, and himself the prime mover of a parliamentary reform, could have been so lost to all sense of shame, as to endeavour to commit a legal murder on those who had followed his own example, and merely persevered in those plans, which he himself had broached, matured, and abandoned! That minister never conceived the idea of a public prosecution, until he was firmly persuaded that a treasonable plot existed for the overthrow of the state, and that, under a popular pretext, a revolution was actually meditated, on the same principles, and with the same designs, as had been so recently effected in France.

Two events produced this illusion, and these I shall briefly detail, from information obtained by means of one of the persons chiefly interested on the present occasion.

Among the immense number of spies and informers now employed, were several of a higher order, some of whom were solely actuated

by zeal; while others, who would have spurned the idea of pecuniary gratifications, were influenced solely by the hopes of offices and appointments. One of the latter had for some time attached himself to Mr. Tooke, and was a frequent visitor at Wimbledon. His station and character were calculated to shield him from suspicion, but his host, who was too acute to be so easily duped, soon saw through the flimsy veil of his pretended discontent. As he had many personal friends, in various departments of government, he soon discovered the views, connexions, and pursuits of his guest; but, instead of upbraiding him with his treachery, and dismissing him with contempt, as most other men in his situation would have done, he determined to foil him, if possible, at his own weapons.

It was always a maxim with Mr. Tooke, in the war of politics, to turn the *enemy's cannon on themselves*; and no one was ever more ready to exclaim:

> ——————————" Let it work,
> For 'tis the sport, to have the engineer
> Hoist with his own petard: and it shall go hard;
> But I will delve one yard below their mine,
> And blow them to the moon!" HAMLET, act 3, s. 4.

He accordingly pretended to admit the spy

into his entire confidence, and completed the delusion, by actually rendering the person, who wished to circumvent him, in his turn, a dupe. Mr. Tooke began by dropping remote hints, relative to the strength and zeal of the popular party, taking care to magnify their numbers, praise their unanimity, and commend their resolution. By degrees he descended to particulars, and at length communicated confidentially, and under the most solemn promises of secrecy, the alarming intelligence, that some of the guards were gained; that an armed force was organized; and that the nation was actually on the eve of a revolution. After a number of interviews, he at length affected to own, that he himself was at the head of the conspiracy, and boasted, like Pompey of old, "that he could raise legions, merely by stamping on the ground with his foot!"

To comprehend the full effect of this, it is only necessary to advert to the situation of the country at that period. The war was deemed unjust by many, and was then generally unpopular. Certain accredited persons had been lately sent by some of the societies to France, and a treasonable correspondence with that country was now supposed to exist. The capital began to be in a perturbed state; the manufactur-

ing districts were agitated; political associations multiplied; and, to crown the whole, it was rumoured, that an attempt had been made to debauch the household troops from their loyalty; and, by their means, effect a change similar to that which had been so recently achieved in a neighbouring kingdom, by means of the French guards.

In this situation of affairs, the ministers were of course alarmed: they could only obtain intelligence by means of their *reporters;* a new name, first used about this period, to diminish the odium attached to the word spy; and it is always the obvious interest of this order of men to alarm and terrify. It appeared evident, from the concurring testimony of all these, that a crisis was to be expected; and that something must be done, to detect and punish the authors, abettors, and instigators of the supposed conspiracy. The intelligence daily obtained from Mr. Tooke's *confidential friend*, seemed to confirm and to realize the worst conjectures; and the cabinet ministers accordingly deemed themselves justified in adopting measures correspondent with the urgency of the occasion.

It was in this perplexing state of affairs, that a letter was intercepted, of so serious and alarming a nature, as to appear to give certainty to

supposition, and set doubt itself at defiance. It was written by the reverend Jeremiah Joyce, a person of fair character and good education; and, at the same time, an active and intelligent member of the Constitutional Society. This gentleman, who was then employed in educating the children of lord Stanhope, was known to visit and to correspond with the politician of Wimbledon; a man, long considered as the "master spirit," who brooded over those treasons now about to be disclosed.

The following is an exact copy of the portentous note:

"DEAR CITIZEN,

"This morning, at six o'clock, citizen Hardy "was taken away, by order from the secretary "of state's office: they seized every thing they "could lay hands on.—Query, is it possible to "get ready by Thursday?

"Yours,

"J. JOYCE."

On the receipt of this terrific epistle, ministers instantly took the alarm; and, as a specific day was supposed to be actually indicated for an insurrection, it was determined to anticipate that event. Accordingly all the avenues

to Mr. Tooke's house were instantly watched; and his carriage was followed next morning to the city. Soon after he had sat down to dinner, at the house of a gentleman, in Spital Square, a detachment of soldiers was sent to that quarter; and, in the course of the afternoon, a troop of light horse passed by the windows of the apartment in which he happened to sit. He himself was seized by a warrant from the secretary of state, early in the morning of the 16th of May, 1794, and conveyed a prisoner to town.

No sooner did Mr. Tooke perceive his commitment to be inevitable, than his mind, perfectly at ease respecting his own fate, was entirely occupied about the care and preservation of his daughters. He accordingly transmitted the following letter to a lady on whose prudence and discretion he could implicitly rely.

"*Whitehall, May* 17, 1794.

"DEAR MADAM,

"I take the liberty of requesting you to go "to my house, at Wimbledon, for a short time, "to accompany my poor girls in my absence. "I am in custody, by order of the secretary of "state, and cannot return. The gentleman "who brings this note will accompany you this

" evening to Wimbledon. You will very greatly
" oblige me by this act of kindness.

" Your most obedient servant,

" J. Horne Tooke."

Soon after this he was conveyed to the Tower, with the formalities usually observed in respect to those who are detained on suspicion of treason.

In this fortress, which, in the course of our early history, had witnessed so many acts of violence, outrage, and murder, Mr. Tooke was confined, a close prisoner, for several months. During a considerable portion of this period, he was debarred from pen, ink, and paper; and no one was suffered to have any intercourse with him except the jailors. At length, a certain degree of relaxation took place; and this had become absolutely necessary, indeed, on account of his health, which required frequent medical attendance. He was accordingly permitted to transmit a letter, on this subject, to the privy council; and, nearly at the same time, his friend Mr. Vaughan, the barrister, addressed sir Richard Ford on the same subject. From the original correspondence, now before me, I am enabled to discover, and most willingly relate, that government paid immediate attention to the very

first application; and that an order was instantly issued for the admission of Dr. Pearson and Mr. Cline, "as often as the state of Mr. Tooke's health should render it proper and necessary." To these professional gentlemen was soon after added Mr. Keates; and I perceive, that the barrister alluded to above, now found an opportunity to communicate, by means of a third person, "that he had some money of Mr. Tooke's in his hand, and that he would be extremely happy to execute any commission relative to the family at Wimbledon."

In addition to medical assistance, other attentions were not wanting; for the prisoner now obtained the daily services of a barber; and, through this medium, was at length gratified with the perusal of a morning paper, which afforded him no small share of amusement, although he often found himself described "as a hoary traitor," and the "ringleader of a gang of conspirators, who had been employed to destroy our glorious constitution in church and state."

He had also frequent opportunities of communicating with those who had been taken up and confined at the same time, particularly Mr. Stuart Kydd, who was bred, like himself, to the bar, and Mr. Bonney, who had practised

for some years as a solicitor. This intercourse was obtained by simply leaning out of their respective windows, and conversing at periods when no one happened to pass; and, although nothing new was learned, yet it may be easily supposed, that these stolen interviews could not fail to be gratifying.

Meanwhile, Mr. Tooke was entirely at a loss respecting the accusation against him. He was conscious, that he had not committed any offence, which could be construed into treason by thelaws of England; yet he did not know, but that, however innocent himself, he might be implicated by the acts of others. In this state of uncertainty, he conceived an idea, that novel and extraordinary measures would be recurred to; and suspected, that it was intended to cut him off by means of some new statute enacted expressly for this purpose. He was in some measure relieved, however, from all his embarrassments and suspicions on receiving the collection of printed documents relative to the Corresponding Society, from which he first guessed at the nature of the charges intended to be adduced against him. He now began to perceive, for the first time, that his trial was to take place according to all the customary forms of law; and was most agreeably disappointed on

learning that he was to be treated like a common culprit.

Mr. Tooke, about this time, received great consolation, and assistance also, from the company and conversation of his nephew, who was admitted to visit him, and assisted in the arrangement of his papers. In fine weather, he constantly walked on the walls of the Tower, and nothing could induce him to forego that satisfaction. Whenever an opportunity offered, he would rise from the table containing the materials of his exculpation, and after animadverting with contempt, rather than indignation, "on the weakness as well as wickedness of his enemies," he rushed out of the apartment, wishing "they had given him something to defend, for he could not give his serious attention to such ridiculous imputations as these!"

After an imprisonment of upwards of three months in the Tower, it became necessary that he should be transferred, according to custom, to one of the city jails, in order to be tried. One remarkable circumstance occurred on his removal to Newgate; for, on his arrival there, the jailor positively refused to receive him, no warrant having been brought for that purpose. On this his kinsman returned to the Tower, and while the prisoner sat in Kirby's parlour, he

applied to the proper officer, for the necessary authority. In consequence of the absence of a clerk, some new delay occurred, until, at length, snatching up a pen, he himself drew up the order for the commitment of his own uncle; which being accompanied soon after with the usual official signature, he was enabled to return, and transfer the supposed traitor, from all the comforts of a good room and a blazing fire, to an apartment and accommodations of a very different description.

Although above ground, this possessed all the true and genuine characteristics of a dungeon. The water trickled down from the walls, the floor had been just washed, and the bed clothes were so damp, that the moisture actually exhaled in clouds of vapour, on the application of artificial heat. Such were the comforts reserved for a man, who had attained nearly sixty years of age, was oppressed by misfortunes, overwhelmed by disease, and doomed to stand a trial for his life and fortune!

CHAPTER IV.

FROM 1794 TO 1801.

Trial and Acquittal for Treason.—Contest with the Commissioners of Income Tax.—Becomes once more a Candidate for Westminster.

ON the 10th of September, 1794, a special commission of *oyer and terminer* was issued under the great seal, to inquire of certain high treasons and misprisions of treason within the county of Middlesex; and on Thursday, October 2, the same was opened at the session house, in Clerkenwell, in presence of:

The right honourable sir James Eyre, knight, lord chief justice of the court of Common Pleas;

The right honourable sir Archibald Macdonald, knight, lord chief baron of the Exchequer;

The right honourable sir Beaumont Hotham, knight, one of the barons of the court of Exchequer;

The honourable sir Francis Buller, baronet,

one of the justices of the court of Common Pleas;

The honourable sir Nash Grose, knight, one of the justices of the King's Bench;

And the honourable sir Soulden Lawrence, knight, one of the justices of the court of King's Bench.

After the commission had been read with the usual forms, the pannel of the grand jury was delivered by the sheriffs, and the following gentlemen were sworn:

1. Benjamin Winthrop, esq. foreman.

2. John Henry Schneider, esq.
3. Edward Ironside, esq.
4. Benjamin Kenton, esq.
5. Rawson Hart Boddam, esq.
6. John Aris, esq.
7. William Pardoe Allet, esq.
8. John Perry, esq.
9. Henry Peter Kuff, esq.
10. Thomas Winslow, esq.
11. Thomas Cole, esq.
12. Samuel Hawkins, esq.
13. George Ward, esq.
14. Thomas Boddam, esq.
15. Joseph Lancaster, esq.
16. Robert Wilkinson, esq.
17. George Galway Mills, esq.
18. Henry Wright, esq.
19. John Hatchett, esq.
20. Rowland Stephenson, esq.
21. John Campbell, esq.

The charge to the grand inquest, by lord chief justice Eyre, consisted of a long and elaborate address, stating that they were assembled under the authority of the king's commission, which had originated in a late statute, declaring "that a traitorous and detestable conspiracy had been formed for subverting the existing laws

and constitution, and for introducing the system of anarchy and confusion, which had so lately prevailed in France." His lordship then entered into an explanation of the statute of the 25th of Edward III, passed for the purpose of defining the nature of high treason, which consists in compassing and imagining the death of the king, provided each compassing and imagining be manifested by some overt acts proved by two witnesses.

He observed "it was matter of public notoriety, that there have been associations formed in this county and other parts of the kingdom, the professed purpose of which was a change in the constitution of the commons house of parliament, and the obtaining of annual parliaments; and that to some of these associations other purposes, hidden under this veil—purposes the most traitorous—have been imputed, amounting to the crime of high treason.

"If there be ground to consider the professed intention of any of these associations (a reform in parliament,) as mere colour, and as a pretext held out in order to cover deeper designs—designs against the whole constitution and government of the country—this case has been already considered. Whether this be so or not is mere matter of fact, as to which you should be re-

minded, that an inquiry into a charge of this nature, which undertakes to make out that the ostensible purpose is a mere veil, under which is concealed a traitorous conspiracy, requires cool and deliberate examination.

"The result, indeed, should be perfectly clear and satisfactory; in the affairs of common life, no one is justified in imputing to another a meaning contrary to what he himself expresses, but upon the fullest evidence. On the other hand, where the charge can be made out, it is adding to the crime meditated the deepest dissimulation and treachery, both with regard to those individuals who may be drawn in to embark in the ostensible purpose, as well as to the public, against which this dark mystery of wickedness is fabricated.

"But, if we suppose these associations to adhere to the professed purpose, and to have no other primary object, it may be asked by what process is it, that an association for the reform of parliament can work itself up to the crime of high treason? All men may, nay, all men must, if they possess the faculty of thinking, reason upon every thing that interests them, and among the objects of the attention of freemen, the principles of government, the constitution of particular governments, and, above all,

the constitution of the government under which they live, will naturally engage attention, and provoke speculation.

"The power of communication of thoughts and opinions is the gift of God, and the freedom of it is the source of science, and therefore it seems to follow that human laws ought not to interpose to prevent the communication of sentiments and opinions in voluntary assemblies of men. But assemblies of this kind are to be so composed, and so conducted, as not to endanger the public peace and good order of the government under which they live; and I shall not state to you, that associations and assemblies of men, for the purpose of obtaining a reform in the interior constitution of the British parliament, are simply unlawful; but, on the other hand, I must observe to you, that they may but too easily degenerate, and become unlawful, even to the enormous extent of the crime of high treason.

"There is reason, from the notoriety of the fact, to suppose, that the project of a convention of the people to be assembled under the direction of some of these societies, or of delegations from them, will be the leading fact, to be laid before you in evidence, respecting the conduct and measures of these associations; a

project, which, perhaps, in better times, would have been hardly thought worthy of grave consideration; but, in these our days, having been attempted to be put in execution in a distant part of the United Kingdoms, and with the example of a neighbouring country before our eyes; this is deservedly become an object of the jealousy of our laws. It will be your duty to examine the evidence carefully; to sift it to the bottom, and to draw the conclusion of fact, as to the existence, the nature, and the object of this project of a convention, from the whole.

"In the course of your labours, you will probably hear of bodies of men having been collected together; of violent resolutions voted; of some preparations of offensive weapons, and the adoption of the language and manner of those proceedings in France, which have led to the overthrow of that country: yet these are not substantive treasons, but circumstances of evidence, tending to ascertain the object which the persons had in view, and also the true nature of the project of a convention.

"The law, as to the project of bringing the people together in convention, in order to usurp the government of the country, has already been explained; as to the plan of a convention for effecting a change in the mode of representation,

and the obtaining of annual parliaments, this would be high treason in all the actors in it, if attempted to be effected without the authority of parliament: for this is a conspiracy to overturn the government. Whether the project of a convention, having for its object the collecting together a power which should overawe the legislative body, and extort a parliamentary reform from it, if acted upon, will also amount to high treason, is a more doubtful question. In this case, the authorities do not warrant, that the mere conspiracy to raise such a force, and the entering into consultations respecting it, will alone, and without actually raising that force, constitute that enormous crime.

"It may be stated as clear, that the project of a convention, having for its sole object a dutiful and peaceable application to the wisdom of parliament, on the subject of a wished for reform, which application should be entitled to weight and credit from the universality of it, but should still leave to the parliament the freest exercise of its discretion, to grant or to refuse the prayer of the petition, (great as the responsibility will be on the persons concerned in it, in respect to the many probable, and all the possible, bad consequences of collecting a great number of people together, without specific legal powers to be ex-

Which fact, if charged upon oath, and clearly proved before any justice of the peace, or even before your lordship, would not authorise either him or you to grant a warrant of apprehension against the person charged.

"If a charge brought upon oath before a magistrate were, That A, of the parish of EALING, together with others of the same parish, had CONSENTED [mark the charge, CONSENTED] that B, C, and D, of the said parish, should march out therefrom—(and, if you please, with major Sturgeon at their head) in order to meet E, F, and G, of the parish of ACTON, for the purpose of CONSULTING together [mark the purpose, CONSULTING] whether these six persons should recommend it to the parishes of *Ealing* and *Acton* to choose certain unknown deputies to meet other certain unknown deputies, from certain other parishes, in order, that, when met (if indeed they should, upon such recommendation, ever agree to meet at all) these persons so deputed, should CONSULT [mark another CONSULTATION] whether it would be fit, or not fit, for them to RECOMMEND [mark a second RECOMMENDATION] to the different parishes by whom they were deputed, *any* and *what* measures to be pursued, for the purpose of obtaining either a modification or alleviation in the matters of

tithes, or a modification or alleviation in the matter of *poors' rates*, or a modification or arrangement in the manner of choosing churchwardens or *representatives* to parliament: the person who brought this charge, at the same time acknowledging that no such meeting of *deputies* was ever held: that no such meeting was ever called: that no such deputies were ever chosen: and acknowledging, that he cannot say what sort of deputies would have been chosen: nor what measures these deputies would have recommended: nor whether the parishes who deputed them, would, after all, have approved and followed the recommendation of the deputies.

"I say, my lord (and I do not apprehend even your contradiction), that the *charge* of such a CONSENT, and the fact of CONSENT satisfactorily proved, could not have drawn from any magistrate, nor even from your lordship, a warrant of apprehension, or even a summons of any kind, for the party so charged with such CONSENT; but that the magistrate (if he was not a very grave man indeed) would have burst out a laughing at such a charge; he would have found it a NEW case, indeed, but not a DOUBTFUL one; and, at all events, he would have dismissed it with contempt.

"And yet, my lord, upon such a charge as this, Mr. Schneider, the German, and Mr. Khuff, the Swiss (who neither talk nor understand common English, much less the technicalities and formalities of a bill of indictment) together with seventeen others (out of twenty-two) of the grand jury, judiciously collected by the late sheriff, Mr. Hammerton, paviour to the custom-house and to the board of ordnance, under the sage and humane direction of your lordship, in this *new* and *doubtful* case; and with the presence, and attendance, and tuition of Mr. White, the solicitor of the treasury, who, though unsworn, was authorised by the court to attend this grand jury. I say, my lord, under all these circumstances, the grand jury have found this treasury indictment upon which I am now arraigned to stand trial for my life, my fortune, and my character: at your mercy, who gave that charge and direction to the grand jury concerning NEW and *doubtful* cases; and who have full before your view the pension and peerage of your predecessor in office, and before a pannel of jurors carefully picked out and selected by that same sheriff, the paviour to the custom-house and to the board of ordnance, who picked out and selected the grand jury who found this bill.

"My lord—you lordship will, one day, most assuredly acknowledge, that this is a very extraordinary indictment. Attended, too, with circumstances that no instance in the history of this country, or of the world, can parallel.

"I appear to it, however, with a cheerfulness and a satisfaction which I am unable to express. Because, however I may be personally affected by it, the present times and posterity will have infinite obligation to the proprietors of boroughs, who are the promoters of it, and to your lordship. For all the previous steps which have been taken against me; and your lordship's charge and direction to the grand jury, exceed abundantly, in force and power, all other arguments, to prove the necessity, and to ensure the success of a speedy reform in the representation of the people in parliament.

"For, under such proceedings as the present, (which could never have taken place, but under such a state of *mis-representation* as the present)—the life, the fortune, and the character of no man in this country, from the lowest to the highest, can, henceforward, until that reform shall take place, remain for one moment in safety. For, until that reform shall take place, there never will be wanting, to an insolent, a treacherous, and a corrupt minister—

ercised, and under no government but that of their own discretion,) cannot in itself merit to be ranked among that class of offences which this court is now assembled to hear and determine."

On Monday, October the 6th, the grand jury returned "a true bill" against Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kydd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, for high treason. The verdict of "Not found," was returned against John Lovett.

On the arraignment of the prisoners at the Old Bailey, Mr. Tooke, whose suspicions appear to have been again aroused by the late charge to the grand jury, had determined to address the court, in a speech condemning some of the principles there laid down, and attacking the character and conduct of the presiding judge himself. His sentiments were carefully committed to writing; and I am enabled here to insert a correct copy, from the only document now in existence.

"MY LORD,

"The intentions of your lordship, and of those by whom you are employed, are sufficient-

ly barefaced and apparent to me; and no man, who has read my petition to the house of commons, can doubt of the motives and causes of this prosecution against me. The minister pledged himself solemnly to the house that I should be punished. And thus he keeps his word.

"My lord — I have the same taste of sweet and bitter in common with other men. I love life. I dislike death. But I believe there never was, and, I trust, that I shall find there never will be, in my mind, a single moment's hesitation or reluctance to lay down my life deliberately and cheerfully in defence of the rights of my country, and I never was more ready to do it than now.

"Near half a year of CLOSE custody, under many degrading and humiliating circumstances, without the admission of any person to me, except my physician and my surgeon, at my age, and with my infirmities, this *close* custody has, in some measure, impaired the health and strength of my body; but my principles remain unalterably the same as they have been invariably and uniformly throughout my life.

"This bill of indictment, to which I am now to plead, contains alledged matter (and the only matter directed against me) as FACT, from whence to infer the crime of high treason.

there never will be wanting *legal* butchers, with their proper instruments in their hands — *new* and *doubtful* cases — ready to explore and to rake out pensions and peerages for themselves from the mangled entrails of their dying fellow-creatures.

"My lord, my lord, things that are made cheap and vile we never preserve with much care and caution. And, rest you well assured, that the individuals of this nation will never long consent to hold their lives, their fortunes, and their characters, by the precarious tenure which you are now preparing for them.

"For my own part, I have never committed a single action, nor written a sentence, nor uttered a syllable, in public or in private, nor entertained a thought (of an important political nature) which (taken with all its circumstances of time, place, and occasion) I wish either recalled or concealed.

"My lord, I will die, as I have lived, in the commission of the only crime with which I can be charged, during my whole life — the crime of speaking *plainly* the *plain* truth. And I doubt not that I shall plainly prove that I never spoke more truly than I do now, by pleading to this indictment — NOT GUILTY.

"I shall surely *one day* be tried by God; and,

in spite of all appearances to the contrary, I will hope *now* to be tried FAIRLY by my country."

It was the intention of Mr. Tooke to have inserted a copy of this speech in each of the London newspapers; but happily, after due reflection, he was induced to relinquish this scheme, and resort to more moderate counsels.

Two fortunate circumstances preceded these memorable trials. The first was the surrender of Mr. Holcroft, in open court—a premeditated act of gallantry, which produced a great and salutary effect. The second was an anonymous reply to lord chief baron Eyre's charge to the grand jury, which, on account of its professional allusions, and forensic air, has generally been attributed to a lawyer. On due inquiry, however, I have learned that it was undoubtedly penned by Mr. Godwin.

The trial of Mr. Thomas Hardy commenced on Tuesday, October 28, and on the eighth day, the jury, after retiring for three hours, delivered in a verdict of "NOT GUILTY." His religious and moral character proved highly beneficial to him on this occasion; but it is at the same time but fair to add, that nothing treasonable had been proved.

On Monday, the seventeenth of October, Mr. Horne Tooke was set to the bar of the Old

Bailey, and finding the station assigned to the prisoner inconvenient, he insisted on being placed by the side of his counsel *.

"My lord," said he, "it is not for a small stake that I stand here. It is to deprive me of my life, to beggar my family, to make my name and memory infamous to all posterity; so deep a stake as that, may well overset my understanding; it is very well known that the best gamesters, when the stake is too deep for them, play the worst; I hope that will not be my case: and I hope and trust, if your lordship permit me to sit near my counsel †, that I shall prevent a

* A small desk, covered with green bays, and provided with a lock and key, for the security of his papers, had been provided by the sheriffs; but he would not deign to use it, even for a moment.

† Counsel for the prisoner assigned by the court:—
The hon. Thomas (now lord) Erskine,
And Mr. (now sir Vicary) Gibbs.

Assistant Counsel.
Mr. Dampier, Mr. Felix Vaughan,
And Mr. Gurney.

Solicitors.
Messrs. George and Romaine William Clarkson.

Counsel for the crown.
Mr. attorney-general (now lord chancellor Eldon),
Mr. solicitor-general (now lord Redesdale),
Mr. serjeant Adair,
Mr. Bearcroft,

Mr.

great waste of time to the jury, your lordship, and myself; for I am certain I shall make it impossible for the prosecutor to make out any case against me, that can call upon me for my defence. I come here from a very close custody of a whole summer, and a whole autumn; I have not, any more than your lordship, many summers or many autumns to spare; that custody has been attended with many degrading and many humiliating circumstances at my age, and with my infirmities; it has, in some measure, impaired the health and the strength of my body; I come to you but half a man; your lordship will expect a whole defence; and I do not doubt but I shall give you a whole defence, provided you furnish me with the necessary means of doing it."

On being admitted to the inner bar, the following jurymen were finally sworn:

James Haygarth,	Robert Mairis,
Thomas Harrison,	William Cooke,

Mr. Bower,
Mr. Law (now lord chief justice Ellenborough),
Mr. (now sir William) Garrow, solicitor-general,
Mr. (now baron) Wood,
Mr. (the late right hon. Spencer) Percival.

Solicitor.

Joseph White, esq.

Edward Hale,	Charles Pratt,
Thomas Draine,	Matthias Dupont,
Matthew Whiting,	William Harwood, and
Norrison Coverdale,	Henry Bullock.

The indictment was opened by Mr. Percival, after which, Mr. solicitor-general addressed the jury, in a speech which occupied many hours in the delivery. He attributed to the prisoner, together with others, "a conspiracy to depose the king, a deliberate plan to subvert the constitution and the sovereign power, as by law established; and to execute that plan by his own force, and by the force of those whom he hoped to draw to his assistance."

An attempt to introduce annual parliaments and universal suffrage was laid to the charge of the various societies in this country; it was asserted, that they had dispatched certain persons on mission to France; that they had approved and circulated Mr. Paine's work on the "Rights of Man," and Mr. Joel Barlow's pamphlet, entitled, "An Address to the Privileged Orders." But the charge most relied on was the sending of delegates to a convention at Edinburgh, for the purpose of overturning the constitution and subverting the laws of the kingdom.

On examination of the witnesses for the

crown, the innocence of the prisoner was clearly established. The note from Mr. Joyce, which had produced so much alarm, was found to relate merely to a promise of selecting from the court-calendar a list of all the places held by the Grenvilles, by way of throwing an odium on Mr. Pitt, his family, and his abettors. The revenues of the "Constitutional Society," which had been supposed capable of supporting an insurrection, were discovered to amount to only sixty guineas a year; while the secretary himself was a placeman holding a public office under government. It was proved, that the doctrine of universal suffrage had been uniformly discountenanced by the prisoner; and that the idea of a convention to be assembled at Edinburgh, had always been scouted by him, although he himself had sat as a delegate, in 1782, along with the first lord of the treasury, and chancellor of the exchequer, for the express purpose of introducing a reform in parliament.

During the whole of this long and singular trial, the prisoner conducted himself with exactly the same ease, as if he had been employed as counsel for an indifferent person; and both in the examination in chief, and cross-examination, contrived his questions in so able and

artful a manner, as to conceal their drift, not only from the witness, but even from the bench and the bar. He thus succeeded, by induction, to elicit truth, and produce a chain of facts, eminently useful for his defence.

After the evidence of the crown had been closed, Mr. (now lord Erskine) addressed the jury, in a very able and eloquent speech. In the course of his address, he not only insisted that no crime had been committed on the part of the prisoner, but that he could prove, by witnesses, "that a firm and zealous attachment to the British government *in its uncorrupted state*, had been the uniform and zealous tenour of his opinions and conduct; yet," added he, "in the teeth of the evidence of a whole life, you are called upon, on your oaths, to shed the blood of the gentleman at the bar, by the verdict you are to give in this place.

"Gentlemen, I cannot conclude, without observing that the conduct of this abused and unfortunate gentleman, throughout the whole of the trial, has certainly entitled him to admiration and respect; I had, undoubtedly, prepared myself to conduct his cause in a manner totally different from that which I have pursued; it was my purpose to have selected those parts of the evidence only by which he was affected, and, by a

minute attention to the particular entries, to have separated him from the rest. By such a course, I could have steered his vessel safely out of the storm, and brought her, without damage, into a harbour of safety, whilst the other unfortunate prisoners were left to ride out this awful tempest. But he insisted on holding out a rope to save the innocent from danger—he would not suffer his defence to be put upon the footing which discretion might have suggested. On the contrary, although not implicated himself, in the alledged conspiracy, he has charged me to waste and destroy my strength to prove that no such guilt can be brought home to others. I rejoice in having been made the humble instrument of so much good—my heart was never so much in a cause — and I conclude by imploring that you may be enlightened by that Power which can alone unerringly direct the human mind in the pursuit of truth and justice."

Several gentlemen were now produced, consisting of major Cartwright, Mr. Sheridan, Mr. (now sir Philip) Francis, and Dr. Beadon, the venerable bishop of Gloucester, to prove that Mr. Tooke's opinions had been always uniformly the same, during the whole course of a long life. The last of these also bore a willing testimony to his character, good conduct, and

literary labours, while residing at the university of Cambridge, and at the same time fully expressed his opinion of his moderation, obedience to the laws, and attachment to the constitution. It was also clearly proved, that he had ridiculed "Paine's Principles," and said, "this country was not fit for a republic."

Mr. (now sir Vicary) Gibbs, on this day laid the foundations of his future fortune. His defence was able, eloquent, and impressive, and he contributed powerfully to exonerate his client, by declaring, "that the prosecutor's case was so answered and negatived by his own witnesses, as to call for no manner of reply from the prisoner. That was, and that is," added he, "my judgment upon the case; yet still, for the satisfaction of the court, for the satisfaction of you who sit on the jury, for the satisfaction of those who hear this cause, and for the future support of the character of the gentleman who stands at the bar, he has taken upon himself the proof of the affirmative."

After the lord chief justice Eyre had summed up the evidence, the jury withdrew for about eight minutes; and, on their return, pronounced a verdict of "Not guilty," by means of their foreman. On this, Mr. Tooke addressed the court, as follows:—

"My mind, my lord, is much better formed

to feel and to acknowledge kindness, than to solicit it. I desire to return my most sincere thanks to your lordship and to the bench for the conduct which you have held towards me, during the whole of this tedious trial.

"Gentlemen of the jury, you have afforded a just protection to my life—I thank you for it: I am sure we shall never see such a trial as this again. My caution and my virtue—for at this moment I will place it to myself — occasioned those suspicions which dwelt on his lordship's mind; but what I am now going to say, will help other jurymen likewise to restrict this species of guilt by inference. The fact stands thus:—being rarely present at the meetings of the Constitutional Society, although my name appears in the books, I was anxious for the safety of a very honest, but not a very able man.—The secretary repeatedly brought to me papers which were ordered for publication, and when I saw a word which was capable of causing the appearance of a libel, I struck out the exceptionable parts, and inserted what would avoid the danger of a prosecution. Upon this is built all that apprehension and suspicion of the direction, and conduct, and originating of societies, with none of whom, or with any of the individuals of whom, did I ever correspond, or communicate at all.

"I know none of these country societies, nor an individual belonging to them. I corrected the works of every man, of every opinion, who came to me. A gentleman in court wrote a book against me; I corrected the book myself. I do not mention all this to justify myself, because a jury of my country have justified me quickly, clearly, and nobly; but I mention it for the sake of that law, upon which the blood, and the family, and the character of men depend.

"I had not foreseen the nature of the charges and inferences, to be used against me, to make me a traitor; it is impossible I could foresee them. To prevent the prosecution of other persons for libel, I have suffered a prosecution for high treason.

"I return your lordship thanks — I return my counsel thanks — my noble friend Mr. Erskine, who has been so ably supported by Mr. Gibbs; — and you, gentlemen of the jury, I return you my thanks.

"I am glad I have been prosecuted; and I hope this will make the attorney-general more cautious in future: he said he would have no treason by construction; and there is no suspicion against me but by construction and inference."

Mr. Tooke was immediately discharged, amidst the plaudits of the spectators, which soon extended to the avenues of the court, and were reechoed by an immense multitude assembled on the occasion. Thus ended a prosecution, the most singular and extraordinary that has been witnessed in this country, during the present reign; and in the course of which, the prisoner distinguished himself alike by his calmness, intrepidity, and talents.

During the whole of his trial, which continued by adjournment for the space of six entire days, neither his spirits nor his resolution forsook him for a single moment. His usual good humour discovered itself by frequent sallies. One cold night, on retiring from the Old Bailey to Newgate, a lady advancing towards him, pulled up the collar of his coat, and, at the same time, put a silk handkerchief around his *neck*. While employed in this operation, he gaily replied: "Pray, madam, be careful, for I am rather *ticklish*, at present, about that particular place!"

So unconquerable was his spirit, that every day, after dinner, he constantly sang the following stanza, which he had learned of his grandmother, and which was probably penned in behalf of the claims of the house of Brunswick, in

opposition to the pretended rights of the family of Stuart.

" Here's a health to our old constitution,
Let the trumpets sound,
And the hautboys play.
Huzza!
Huzza!
To the downfal of all tyranny;
I long to see the day.
Huzza!
Huzza! Huzza!

On many occasions, too, his sympathy was powerfully excited. When Mr. George Rose, who had formerly been his coadjutor in the Westminster election, and was well acquainted with his worth and talents, received a *subpœna* to attend his trial as a witness, that gentleman observed to his agent: "that he would travel either by day or night to do him service." "This," said Mr. Tooke, on hearing the circumstance, "disarms me of half my rage!" On the contrary, he was extremely indignant at Mr. Beaufoy's assertion, "that he knew nothing of him;" and contrived to mortify that gentleman, not a little, by asking, "if he had not complained to him, that Mr. Pitt, after all his services, would scarcely return his bow!" This question was peculiarly offensive to that gentle-

man, although it would be ridiculous to believe that it hastened his death, which occurred soon after, as asserted by all the newspapers of that day!

The premier, too, did not escape through this fiery ordeal unscorched. After his examination, it was observed by Mr. Tooke's nephew, on their return from the court, "that he had got Pitt down, and might have done more with him." "Yes, I might, John," was the reply; "but never in my life did I choose to trample on a fallen foe!"

Mr. Horne Tooke appears from his earliest youth to have been desirous to embrace every opportunity to signalize himself. He assured me, that if the song produced against Mr. Hardy, at his trial, had been brought forward by the attorney-general, with a view to criminate himself, it was his serious intention to have stated, "that, as nothing treasonable had been hitherto discovered in the words, something of that kind might be supposed to lurk in the tune; he had therefore determined to *hum* it before the judges and jury. And thus," added he, "I should have afforded the example of being the first prisoner, tried for his life, who had ever dared to sing a song in open court!"

The following, as I have been told, is the first stanza:

> " Plant, plant the tree, fair freedom's tree,
> Midst dangers, wounds, and slaughter,
> Each patriot's breast, its soil shall be,
> And tyrant's blood, its water."

I was also assured by him, more than once, " that he had been ever anxious to offer his life up as a sacrifice to his opinions;" and he appeared to me, towards the close of his existence, to be disappointed at the event, wishing rather to fall gloriously in what he considered to be the cause of the public, than perish ignominiously by the lapse of time or the pressure of disease.

Mr. Tooke now returned to his family mansion, an innocent, injured, and persecuted man. He had voluntarily resigned one profession, and been deprived of all the advantages of another by chicanery; he had stood up for public rights without reaping any private benefit; he had supported the minister against his rival and his enemy; and, in return, he had been tried for his life, and escaped an ignominious death by the verdict of a jury of his country. Yet, after all, it must have frequently occurred to his enlightened and capacious mind, that, while in arbitrary states the prince's nod regulated the des-

tinies of all, so, under free governments, every thing is occasionally obliged to yield to the predominant faction. Thus Themistocles banished Aristides by the Ostracism; Sylla proscribed Marius by a forced vote of the senate; and Brutus himself was obliged to yield to the superior fortune of Augustus. Even in our own country, where the constitution approximates, perhaps, much nearer to perfection, than that of any of the ancient republics, he might have been banished by a bill of pains and penalties, like Atterbury, and thus have been oppressed by methods alike irresistible, either by guilt or innocence.

Certain it is, that from this moment he was much more cautious and wary. He no longer put it in the power of any one to entrap him, by hazarding a rash or imprudent speech. In the opinion of some, he became timid; and it must have occurred to every one who frequented his house, that not only his own words and actions were more guarded, but his advice to others was generally conceived in the true spirit and language of moderation. About this time, too, he found means to banish from his table several violent men, whose practices he suspected, and whose characters were odious to him. At no period of his whole life, perhaps,

were his faculties more clear and unclouded; his passions in greater subjection to his reason, or his conduct more correctly regulated. In short, it might be observed in the words of an author very familiar to him:

> "Sweet are the uses of adversity;
> Which, like the toad, ugly and venomous,
> Wears yet a precious jewel in his head."

Here, it may neither be unpleasant nor improper to mention a little incident, which conferred no small degree of gratification on the subject of this memoir; it is indeed trivial, but not altogether unworthy of notice, partly on account of the satisfaction he derived from it, and partly as it tends to refute the general error, that all individuals of the *feline* kind are ungrateful, being attached to places only, and never to persons. Mr. Tooke had been formerly accustomed to fondle a fine large Tom-cat; and, after dinner, he generally fed him with his own hand. During his absence, this animal did not make his appearance at the hour of four, as was his custom; but no sooner had his master been liberated, at the end of several months, than he repaired to the parlour; and, on perceiving him seated in his usual place, at the head of the table, immediately perched on his shoulder, as

he had been formerly accustomed to do; and *purred* satisfaction during the whole of the repast. After the death of this faithful animal, the breed was carefully preserved in the family; and I have seen his great grand-children playing about the hall. A portrait of him, executed in black chalk, by miss Charlotte Harte, was hung in Mr. Tooke's bedchamber, and is still there, I believe, at this present moment.

Meanwhile, in consequence of the expenses produced by the war, it became absolutely necessary to recur to new and extraordinary means for raising the supplies. The idea of an INCOME TAX, however, struck Mr. Tooke with horror and surprise. He observed on that occasion, "that this hated impost was odious in every point of view, not only on account of the sums levied by it, but also as an engine in the hands of the ministers, which rendered them acquainted with the precise extent of the fortune of every man in the kingdom; it effected, by a single blow, what had only been hoped for in the most arbitrary times, and was never but once before achieved: — by means of the sword of William the Conqueror and Domesday Book."

Notwithstanding this, he was soon after obliged to subscribe a declaration, relative to the amount of his property, which, however, proved unsatis-

factory, as may be seen from the following correspondence on that subject.

"TO JOHN HORNE TOOKE, ESQ.

"*Office of the Commissioners for carrying into Execution the Act for taxing Income.*

"*Wandsworth, May* 3, 1799.

"SIR,

"The commissioners having under their consideration your declaration of income, dated "the 26th of February last, have directed me to "acquaint you, that they have reason to apprehend your income exceeds sixty pounds a-year. "They, therefore, desire that you will reconsider the said declaration, and favour me with "your answer on or before Wednesday, the 8th "inst.

"I am, sir,

"Your humble servant,

"W. B. LUTTLY, Clerk."

The following is a copy of the reply:

"TO MR. W. B. LUTTLY.

"SIR,

"I have much more reason than the commissioners can have, to be dissatisfied with the "smallness of my income. I have never yet in

" my life disavowed, or had occasion to recon-
" sider any declaration, which I have signed
" with my name. But the act of parliament
" has removed all the decencies which used to
" prevail between gentlemen, and has given the
" commissioners (shrouded under the signature
" of their clerk) a right by law to tell me, that they
" have reason to believe that I am a liar. They
" have also a right to demand from me, upon
" oath, the particular circumstances of my private
" situation. In obedience to the law, I am ready
" to attend them upon this degrading occasion,
" so novel to Englishmen, and to give them every
" explanation and satisfaction which they may
" be pleased to require.

" I am, sir,

" Your humble servant,

" J. Horne Tooke."

The situation of Mr. Horne Tooke, at this period, may be easily supposed to have been far from comfortable. His health was on the decline; old age, with all its wants and infirmities, was fast approaching, and frequent attacks of the gout precluded the hope of adding to his income, by his pursuits as a man of letters. In addition to this, his daughters were advancing towards puberty; while he himself was consi-

derably indebted to, and subject to the constant caprice of a man who affected to be his patron.

The times, too, had altered greatly. When he first bought his house, which was still mortgaged for the original purchase money, provisions of all kinds were comparatively moderate; but the enhanced price of necessaries had rendered those fortunes, formerly deemed competent, utterly unfit to combat with the pressure of the existing period. In addition to all this, his gates had been thrown open, every Sunday, for a great number of years; and, as it was disagreeable to change established customs, and ungracious to refuse admittance to his friends, he now found himself in a very disagreeable predicament.

In this dilemma, he determined to act the part of an honest and prudent man. He accordingly resolved to let his house, which had become too large for his fortune, and retire into a small cottage, in which it would be utterly impossible to see, or at least to entertain his former guests, as no apartment in it could possibly hold the half of them! Being still fond of Wimbledon, the air of which had always agreed with him, he made choice of a little white building, on the common, within two hundred yards of his own residence, and there, like Ennius of old, whose

literary merits were deemed coequal with a triumph*, he determined to live with no other companions than his daughters; and no other servant except one female domestic†.

But no sooner was this project rumoured abroad, than the noble and generous interposition of his friends prevented him from carrying his resolutions into effect; and it is not a little wonderful, that, by a strange reverse of fortune, he beheld the secretary of state, who had signed the warrant for his arrest, after an impeachment and trial before his peers, obliged, from the operation of similar causes, to retire from his noble mansion adjoining to Mr. Tooke's, on purpose to reside in the self same cottage, which had been once destined to receive his prisoner!

It is unnecessary, in this place, to vindicate the character and conduct of Mr. Tooke, relative to the pecuniary assistance derived from his friends. Those men who are supposed to have served their country, to the utter neglect of their own fortune, may accept of such a remuneration without a blush; and it has never yet been

* Ennium Poetam deduxerat (Cato) quid [non minoris æstimamus quam quemlibet amplissimum Sardiniensem triumphum.

† "Habitavit in monte Aventino parco admodu sumptu, atque unius ancillæ ministerio contentus."—*Quintil*, lib. x, c. 1.

mentioned as a crime against Mr. Fox, that he obtained, or urged as any great merit, on the part of Mr. Pitt, that he barely refused such a donative. The idea, on this occasion, originated with an anatomist of high reputation; and, on being communicated to a gentleman bred to the bar, the latter kindly undertook to manage the correspondence. One of Mr. Tooke's friends subscribed fifteen hundred pounds; and no less a sum than two thousand pounds was obtained from Cornwall*.

Thus, by the provident and munificent conduct of a few private gentlemen, all fears of poverty were henceforth banished; and the subject of these memoirs suddenly became comfortable, if not opulent. In addition to his house and grounds at Wimbledon, and a small estate left him by his eldest brother, at Brentford, he now had a clear annuity of six hundred pounds. He also possessed some money in the funds, and

* I have been told, that Mr. Bosville, Mr. Sharpe, M. P., Mr. Boddington, Mr. Knight, M. P., Mr. Rogers, &c., were the gentlemen who generously undertook to render the latter days of the grammarian more comfortable. The annuity was bought from sir Francis Burdett, who is said to have relinquished a year's income of the purchase money. It may be necessary, for the sake of delicacy, to observe, that I hazard these particulars without the participation or knowledge of any one of the above gentlemen.

more than once told me, that, within the space of a few years after, he obtained a considerable sum of money in legacies. On due reflection, I am not at all surprised that he should dwell with peculiar complacency on this subject, as it exhibits the most unequivocal testimony of regard and esteem. Two great men of antiquity loudly boasted of the bequests of their deceased friends, for Cicero mentions that he had received about one hundred and seventy thousand pounds of our money in this way, while we learn from Pliny himself that the sums left him, were not at all inferior. And here, to his credit be it told, that no sooner did his annual receipt exceed the sum prescribed by law, than he made a return of his income tax; and, notwithstanding his reluctance to support a war, of which he did not approve, regularly, if not cheerfully, paid the amount.

The stream of life now passed quietly along, unruffled by any disagreeable incidents. He was surrounded by friends; he associated occasionally with some of his neighbours; and his fortune, notwithstanding the pressure of the times, seemed to be on the increase. But one of the chief sources of his delight appeared to arise out of the company and conversation of his two daughters. The future situation of these young ladies, al-

ways occupied his mind; and, at the time when his own fate was uncertain, and his independence as yet insecure, his chief, if not only anxiety, was on their account.

Wishing to enable them to obtain an honourable livelihood, in case of being prevented from leaving a sufficiency for their maintenance, he had them both taught drawing; while, to produce emulation, each copied from the same picture; and the fruits of their labours were afterwards suspended together in the parlour, for the inspection of all his guests. A head, after an eminent artist, and the portrait of a gentleman * in China ink, with a Madona in crayons, remained for many years in the sitting room. The sister art of engraving, too, was not neglected, and thus the *burin*, as well as the pencil, were recurred to for the express view of contributing to the same meritorious end. Mr. Sharpe, the first artist of his age, in this branch, assisted them with frequent instructions; and resided, sometimes for a week or a fortnight together, at Wimbledon, expressly for this purpose.

Nor were other qualifications omitted. One day, in the course of conversation, a gentleman wishing to express the precise situation of a per-

* Mr. Rosenhagen.

son not present, in the most delicate manner possible, made use of the phrase,

"Res Angusta Domus."

On this Mr. Tooke, with much politeness, and after many apologies, undertook to set him right, observing, "that a man like him, who was capable of instructing others, ought to be correct himself. The expression, as used by Cicero, and the other great writers of antiquity," added he, "is

"'Res Angusta Domi.'"

But as his friend still insisted that *Domus* was the genitive case, and therefore properly applied, an appeal was made to miss Charlotte, who immediately took down one of the classics from a book-case, and, pointing to the passage in question, convinced every one present that their host was in the right. Of this young lady, he was once heard to say: "that she had acquired as much Latin as most of the bishops. The other, who possesses an excellent understanding, generally superintended his household affairs; and both were accustomed, at times, to act in the capacity of his secretary and amanuensis.

On the dissolution of the existing parliament, Mr. Tooke once more presented himself as a

candidate for Westminster, and addressed the electors as follows:

" GENTLEMEN,

" It is only in times like the present, when attempts are flagitiously made to murder innocent men, that the progress of a candidate can possibly be from the hustings to Newgate, and from Newgate back to the hustings. The circumstance declares the times: for any man who could reasonably be even suspected of deserving what I have suffered, would be abandoned by the whole human race.

" But you must be well aware, that if I had never known, or, knowing, had not loved the free constitution of my country, I should not have been voted a traitor by the usurping proprietors of boroughs: who, under an insidious pretence of attachment—not to kingship, which we acknowledge, but to monarchy, which we abhor—are endeavouring to undermine (it is not the place for me here to say how far they have undermined) the lawful government of king, lords, and commons; and to substitute a tyranny of their own, under (the most odious of all forms) a temporary, elective dictator, dependent only upon their own corrupt and prostituted votes.

"In the pursuit of their plan, and for the establishment of their power, they are endeavouring to seat themselves on the same throne, by the side of their sovereign: by perverting those laws of treason which were exclusively designed to protect the person of the king, and his share of the government—by perverting them to protect equally the share which themselves have usurped.

"If they can succeed in this, their next step is a short one; they will trample on him. And whenever the crown shall hereafter be awakened, and, too late perhaps, compelled to struggle with these usurpers, the most loyal adherents of royalty will be destroyed as traitors against their new majesties: the king will have no means left to protect his most faithful subjects; and the crown may find itself without a defender.

"This, this attempt of theirs, is the great master-treason against the crown, the nobility, and the whole commons of the realm.

"In order the more efficaciously to resist these traitors to us all, these unacquitted felons, or to lay down my life usefully to the public, in opposition to their plunder and tyranny, I again offer myself to represent you in the ensuing parliament.

"If the purpose of your election were to choose a master, or to promote a minister, or to bestow any portion of power or emolument on the object of your choice, I should acknowledge myself to be the last person who ought to present himself to your notice. But if your purpose be to appoint a servant, whose duty it is to pursue your interest, not his own; to maintain your rights, not to obtain an office for himself; to follow singly your will, independently of all parties and all other connexions: I may then with confidence offer myself, and say, that in me you shall, if you please, find

A faithful servant,

JOHN HORNE TOOKE."

"*Wimbledon, May* 28, 1796."

It might have been supposed, perhaps, that increasing debility, an advanced age, and the misfortunes arising out of a long imprisonment, had abated the spirit, if they had not altered the opinions of the subject of these memoirs. This, however, was not the case, for we find him now apparently more eager than ever to obtain a seat in the house of commons.

On Friday, May 27, three candidates appeared on the hustings, and, after a short speech from each, the poll commenced. At the con-

clusion, the numbers were declared to be as follows:

For Mr. Fox	232
Mr. Tooke	132
Admiral sir Alan Gardner . . .	129

On this, Mr. Fox addressed the electors, and, after thanking them for placing him at the head of the poll, professed himself attached to the constitution of this country, as formed and completed in 1688. He then contended against all the recent political innovations that had occurred, and pointed out the lamentable subserviency of the people to the will of the crown, as the sole cause of the late American and the present French wars. In the course of this speech, he asserted, that the object of administration, in the present contest, "was to support the system of foreign despots." He then paid many compliments to the gallantry of one of his competitors, while he observed, "that the other gentleman had been the object of the unjust and cruel persecution of the minister, and on that account, as well as others, had a claim on the feelings of his fellow citizens."

After a few words from sir Alan Gardner, relative to domestic enemies, Mr. Tooke

professed his entire concurrence in every thing which Mr. Fox had uttered, and added, that he himself would not now have stood a candidate for Westminster, if that circumstance could have exposed him to the loss of his seat in the house of commons. He then alluded to that gentleman's declaration respecting "the two last wars against liberty," and remarked, that, for his opposition to the one, he himself had been sentenced to a considerable fine and a long imprisonment; while, for the part he had taken relative to the other, he had undergone a close and rigorous confinement of seven months, and had been finally obliged to hold up his hand as a traitor at the Old Bailey. He then paid many compliments to the private worth and professional talents of the admiral, who was now compelled to stand in his present awkward situation, in consequence of orders from a superior power.

"In respect to *our domestic enemies*, to whom he has alluded," added Mr. Tooke, "we will endeavour to guard ourselves; and after the gallant admiral shall have been rejected, we will leave him to reap those laurels, against our foreign foes, which I am sure he will always merit by his professional exertions."

On the second day, Saturday May 28, the

numbers at the close of the poll were declared to be:

For Mr. Fox	489
Sir Alan Gardner	372
Mr. Horne Tooke	258

The last of these then spoke as follows:

"GENTLEMEN,

"The contest is now brought to that point which I wished, and which I hope the electors wish. The question for the great city of Westminster to decide is, whether it is or is not their desire to have any voice in the ensuing parliament, which may have to decide the fate of the country. The electors will certainly consider whether any man in his senses ever did, or ever could employ a pair of horses in such a manner as to put one *before*, and the other *behind* the carriage, so that they may strain and struggle against each other in opposite directions; or whether a man that did so, would be likely soon to arrive at the end of his journey. This must be precisely the case if they elect Mr. Fox, and sir Alan Gardner.

"I have never been, and never shall be of any party. Every man's honour ought to be in his own keeping. His own principles, and the in-

structions, orders, and commands of his constituents, should always be the sole guides and directors of his conduct.

"I do not, however, so differ from one of the candidates, but that I may often be instructed and assisted, and (where his way of thinking may permit it) be supported in the cause of the electors by his great abilities. This is an advantage, which the ministerial candidate cannot have, and which probably he will not desire.

"I have gained a personal advantage by this contest, even so far as it has already proceeded. Ever since Mr. Pitt has been elected dictator of this country—not elected by the people, but by the *pretorian band*, by means of loans, contracts, places, pensions, titles, ribands, for many are still desirous to have them, although the history of this country abundantly proves that many have received a riband for *services* that deserved a *halter*. [*Here there was a very long interruption of applause.*]

"I reckon it a great advantage to myself, that the course of the poll has shown, and no doubt will continue to show, that I have the honour to be the candidate most hated by him, *and perhaps the most feared.* The electors of Westminster have likewise an advantage, for they have shown, what I never doubted, that

there still exists a public: they have proved, what I always believed, that Englishmen are still Englishmen. The disinterested and generous support they have given me, I should at any period have thought cheaply purchased with my life, and no man shall ever hear me complain, whenever or however I may be called upon to pay that reckoning. The satisfaction I receive will not indeed give any additional health or strength to my body: but whilst I am addressing you, it banishes all sense of pain.

"A more important advantage may be gained by this election. The electors may teach kings, they may give a most important lesson to the present king, and to all future kings of this country, by proving to them that they may safely discard all faction and partiality, and corruption and bribery, all indirect and underhand management, from the scheme and system of their government, and may with full security rely and cast themselves upon the people: for when they see the disinterested support which the people give to the smallest, they may judge what gratitude they would show to the greatest, if convinced by their conduct that the real object which they have in view was the safety, and happiness, and liberty of the people."

Third Day, Thursday, May 30, 1796.

For Mr. Fox	769
Sir Alan Gardner . . .	718
Mr. Horne Tooke . . .	559

" GENTLEMEN, (says Mr. Tooke,)

" Sir Alan Gardner has told you in his advertisement, (and would have told you again if you would have listened to him,) that he loves his king and his country. It is necessary also for me, I perceive, by the state of the poll, to say that I love the king *according to law*, but I love my country better. A king may employ his time in hunting the harmless stag or timorous hare, whilst his ministers may enjoy the more sanguinary chace of running down his people. At present, therefore, I say, I love my king according to law; and whenever a king shall protect me and my fellow subjects from the murderous plots and conspiracies of his ministers, I will love him beyond the law, beyond the letter of the bond.

" But, gentlemen, the gallant admiral has told you he has two loves, and he seems to have made a prudent choice, and been a thrifty wooer. For his love to his country, he has ob-

tained, and deservedly obtained, the rank, and honours, and emoluments of his profession; he is an admiral and a baronet. For his love to his king, (as it is called,) the minister has appointed him to a seat at the Admiralty board, with a salary, as I take it, of twelve hundred pounds a year.

[*Sir Alan Gardner said, he was not now a lord of the Admiralty: he had quitted it. Mr. Hood made the same observation.*]

" If I have made a mistake, let me rectify it as I go on; the admiral, it appears, has been divorced from his second love. However, this intelligence neither moves me nor him, for he will not be the first admiral, who, after he has been divorced, has married his lady again. Having been so fortunate in his first amour, will you wonder to be told that the admiral has fallen in love once more. He has fallen in love with a widow, who brought to each of her two last husbands a British peerage for her portion. It is nothing wonderful that a baronet, *a little baron*, should wish to become a great baron. Unfortunately, peerages are too often disposed of at the conclusion of a parliament; and when disposed of in such profusion as at present upon members of the house of commons, I cannot help considering it a sort of political adultery;

for my own part I should think it as much honour to be called a *cuckold* as a *lord*.

"The worthy admiral wishes to protect us from our foreign and domestic enemies. He must be sincere, for he has said so. I have an interest in believing him, for I think it will speedily end this contest. The expense of corruption necessary to obtain a majority of votes for the beginning of a war, and the continuance of corruption for a majority of votes to continue the war, is many times greater than the expense which would be sufficient to support eternally defensive and victorious wars against all the world.

"It is impossible, under this double expense, to carry on a war against a nation which has cut off that expense of corruption. If the nation with which we are at war has cut off the greater expense of corruption, and if this be one of the chief causes of their success, surely then the getting rid of corruption would be of more advantage to this country than the efforts, however great, of any single admiral, or all the admirals in the world.

"I have shown to the admiral, to you, and to the public, (unless he or any man can venture to contradict me,) how we may attain the means of arriving at that situation which has been ob-

tained by foreign success. And I persuade myself that the admiral will never suffer his name to be joined with persons ——— [*Here Mr. Tooke hesitated for some moments, and a few persons laughed.*] I mean to say enough, and not too much. My difficulty is not to bring out words, but to stop them. The gallant admiral does not know the *infamous tricks employed by administration* in support of his election. I trust I have said enough to persuade him to retire from this contest."

Fourth Day, Tuesday, May 31, 1796.

For Mr. Fox	1121
Sir Alan Gardner . . .	1010
Mr. Horne Tooke . . .	893

" GENTLEMEN,

" When I had the honour of addressing you, yesterday, I was interrupted in consequence of a mistake which I made in respect to the ministerial candidate; not having studied the Red Book so fully as I might have done. They were glad of an opportunity of showing that the admiral was not at present a lord of the admi-

ralty. But this was an error to which every man is liable, for they shift their places and their titles so frequently, it is impossible to know by what names they choose to be called, since the lord Hawkesbury of yesterday is to-day the earl of Liverpool. In consequence of this mistake I did apply myself to the study of the Red Book, and found the admiral's name. If he thought it an advantage to him to deny that he was at the Admiralty board, will he think it an advantage to him that he has the sinecure place of major-general of marines? For his friend *, who is equally anxious to prove that he has not a seat at the Admiralty, he, likewise, has a sinecure place of collector at St. Kitts, I take it, of sixteen hundred pounds a year.

" However, for the mistake I hope they will forgive me, when they consider that I never did, nor ever will receive from the present or any future king or administration, directly or indirectly, by myself or any other person, the benefit of one farthing. Having settled that account, I beg to take notice to you of conversations which have taken place among the friends of the ministerial candidate, and of circumstances which have been stated in a ministerial paper of

* Mr., now sir Samuel Hood.

this day. It has been mentioned, as a subject of reproach, that there was a coalition between Mr. Fox and myself. I mention it the rather, because it may possibly serve in some measure to direct the conduct of the electors in the future course of the poll.

"The ministers have shown that they fear it and dread it, and well they may; for if all the persons who have voted singly for Mr. Fox had given their second votes to me, and all who have voted singly for me had given their second votes for Mr. Fox, the ministerial candidate must by this time have turned tail. You will give me leave to state to you what is the cause of this ministerial fear: it is not so much that they fear the loss of one vote more or less in the house, as that they seek to make it appear that the public is weaker than it really is, and that the ministerial influence is stronger than it really is. And those who consult the poll, which very few ever do, will perceive that the numbers who have polled for Mr. Fox and me on this occasion will show what a decided opinion has been given by the electors against the present detestable administration!

"I wish that the poll of this day may be the example of the future days of the poll. Mr. Fox is at the head of the poll; it gives him

pleasure, and I desire it should be so. I am the second upon the poll of this day, and I think I have polled between forty and fifty to-day more than the admiral.

" I have ventured to say this to you, not fearful of any imputation of coalition, for my character is known to be intractable: if you please, obstinate. I hope, however, I am very flexible to reason and sound argument; but I do acknowledge, and I make it my boast, that upon all great public questions, neither friends nor foes, nor life nor death, nor thunder nor lightning, shall ever make me give way the breadth of one hair!"

Fifth Day, Wednesday, June 1, 1796.

For sir Alan Gardner . .	1750
Mr. Fox	1616
Mr. Tooke	1192

" GENTLEMEN,

" Sir Alan Gardner has this moment desired me to speak a *few words for him.* I beg that you would hear the admiral. I have a great interest that you should do so. I should be ex-

tremely gratified if you would at all times hear admiral Gardner speak against himself. It is impossible, and would be unbecoming in me, to say so much against the admiral as he would.

" After what Mr. Fox has said, it is fit for me to give some account of my conduct during the poll. I never made any engagement except one—except that engagement which I entered into shortly after I was born—to oppose, by all the means in my power, *oppression and tyranny*, in whatever shape they presented themselves.

" I have not presumed to dictate to any elector ; but, whoever has asked my opinion, I have done what I shall continue to do—I have begged him to vote for Mr. Fox. I am not, have not been, and cannot be neutral, even what Mr. Fox has this moment said, makes it impossible —for he has declared, that the ministry build their power upon corruption, and that by their two infamous bills, they have destroyed the very vitals of the constitution. How, then, can I possibly be neutral, when one of the candidates, Mr. Fox, opposed these measures ; and the other candidate is now connected with them, and was a member of the last parliament, giving his aid to all those evils of which we complain.

" The ministry have made a great poll to-day,

and if there were any adversity in it, it would not be so bitter to me as to those not so much accustomed to it, because it has been the chief food of my life; but I do not consider it as adversity.

"The seat is, by no means, the ultimate object of my pursuit, it makes but a small part of what I seek; however, I believe, in spite of this poll, that the seat will still be obtained. I have been asked, by some of my friends, and those some of the best friends of the public cause in which we are engaged, how I could possibly expect to succeed in this election, against a ministry, who had been able, in three years, to raise and squander so many millions on the king of Prussia, the king of Sardinia, the emperor of Germany, on Hesse, on Hanover, on Brunswick, and the rest of the hirelings?

"I have been asked, besides, will not they who have spent a hundred thousand pounds in the late prosecutions—who have imprisoned and ruined hundreds of innocent men, merely to destroy you, will they not spend two hundred thousand pounds, if necessary, to keep you out of parliament?

"Gentlemen, these questions appear to me to be reasonable and well-founded. But this does not dismay me—let it not dismay you.—[*Here*

thousands cried out, ‘ IT NEVER SHALL.’] The millions which they have already squandered upon despots in their crusade for despotism, are gone from this country, never to return; and many millions more than they can, by any means, extort from us, will be wanted for the same purpose. This profuse and profligate ministry, the friends of the candidate, (sir A. Gardner,) are deep in debt to every person, and every service. The constable, who took me into custody, attended (an honest and a good man) he attended the first day of the poll, to give me a vote.—[*A long interruption in consequence of a great shouting, during which sir A. Gardner said,* ‘*Hear the sequel, hear the sequel.*’] —Sir Alan Gardner begs you to hear the sequel. I'll give it. The constable complains that Mr. Dundas, who gave him that illegal and infamous warrant, for which he must one day be brought to justice; he complains that this scoundrel secretary of state—(*An interruption*)—I desire to be clearly understood (*interruption*) let me be fairly understood. I mean that he is a *scoundrel* both as a secretary of state and a man.—I wish to tell you that sequel which sir A. Gardner recommended you to hear. I was speaking of the constable. He complained that this secretary of state, who sends him to take up and put in dun-

geons better men than himself, never paid him a farthing for his trouble. He complains that they owe him near three hundred pounds.

"I have before desired you not to be dismayed at this poll, nor should you be dismayed at the appearance of the state of the country. The ministry have undertaken what is beyond their power. The expense of enforcing slavery in Europe, whilst they are establishing it at home, will exceed the wealth of all the individuals of this country collectively, although they should continue for ever tame enough to be drained and beggared to the last shilling in this cause. It is pretty evident, nay, it is plain, that their resources begin to fail; one resource, however, they have — I know they have it — to procure ready money for elections of this kind, for I know they have used it before upon similar occasions. I will tell it you as shortly as I can, and afterwards the reasons why I tell it you.

"An act of parliament was made some years ago to prevent the misapplication of public money—the receipt for the different offices is sent to the Bank, and the different boards are to give specific drafts for the specific purposes to which the money is to be applied. The solicitor or agent produces certain bills to the board, which, he says, should be paid—the board or-

ders the payment—so that all things stand fair in their account. The money is received from the bank—(I speak, I believe, in the hearing of persons who know the truth of what I say).—The confidential agent or solicitor receives that money, and lends it to the confidential friend of the minister, to be used at our elections.

"Thus, you see, no laws will ever make us safe, unless we have a fair representation of the people in the house of commons, to enforce the execution of the laws.

"Now for the reasons why I have told this: first, to show you that ours is a trifling and ridiculous triumph, when they reluctantly give us an honest law or two that will never effectually be put in practice. And, in the next place, to give warning to all concerned in this iniquity.—I give them warning. You will certainly bring them to justice. Now, then, gentlemen, for the last reason, and I am sorry I have detained you so long. I hope this will tend to make us even more *unanimous* than we are; that even those contractors and tradesmen of government, and *public creditors*, who must vote against me, who are *compelled* to have their names appear upon the *ministerial list* at an election, will see that it is *their interest* that I should be returned, that the public creditor may not be *unjustly*

kept out of his money, but have it fairly as soon as his *bill* is ordered for *payment*.

Sixth Day, Thursday, June 2, 1796.

For sir Alan Gardner . . .	2116
Mr. Fox	1978
Mr. Tooke	1377

"GENTLEMEN,

"I rarely trouble you with any reference to the state of the poll, but I must entreat you not to be alarmed at the numbers you have seen to-day. I beg you to reflect that little more than three thousand persons have polled, and that there remain ten thousand electors who have not yet given their votes. I beg you to consider the difference between the voters—the voters for the ministerial candidate are *disciplined troops*,—on our side they are all *volunteers*, and as independent in the times of their coming up to poll as they are in the motives for their votes. Consider, besides, that the placemen, the pensioners, and contractors, are all struggling hard for their profits, and the ministers for their forfeited lives. Their eagerness, then, will not sur-

prise you, and that will account for the alertness of the poll on their side; but I little doubt that Mr. Fox and myself shall still both of us succeed in this election. If it should be otherwise, if the worst should happen, let this be our comfort, it will not be a pardon for the crimes of the ministry, but only a short reprieve.

"During the course of this poll, Mr. Fox and myself have had a disadvantage—a disadvantage which your justice and kindness to us will, I hope, remove. The disadvantage is, that by permitting us to address you, and listening to what we say, we are not only liable to mistakes, to which all men are subject, and especially in such a situation as this, but we are also liable to those misrepresentations and misinterpretations which our adversaries are very industrious to circulate. From this disadvantage the admiral has been relieved. This day you have, for the first time, done what I hope your justice to him, and your kindness to us, will induce you to do during the remainder of the poll.—You have heard, and will continue to hear the admiral.

"There has been a misinterpretation or misapprehension of two things which I said yesterday; the first requires a very short explanation. I said, it would gratify me if you would permit

the worthy admiral to speak against himself. I meant by speaking against himself, no want of ability, no personal imputation upon him, but merely that, in order to defend himself, he must defend the ministry by whom he is supported, and to whom he has given, and must hereafter give, his support; and I supposed that his defence of the ministry would be the strongest condemnation of himself.

"I have but one circumstance more to mention to you—it brings with it such thoughts into my mind, as almost prevents my utterance. I applied an epithet, a gross one, in a very personal manner, and which must needs have been offensive to the ears of all decent men. But if they will give me a patient hearing, and listen to the end of what I have to say, I flatter myself, that the candidate himself, and all his friends, and all the adherents, even of the ministry, will go away satisfied with me this day. I shall have no occasion for reasoning or argument, but shall barely state a fact.

"It is unnecessary to bring back to your memory, that I have been kept in close custody seven months—excluded, during that time, from all communication or correspondence with any of my family or friends. It is unnecessary to remind you that I have held up my hand, as

a traitor, at the bar of the Old Bailey. But, with what I shall tell you, I suppose you are all entirely unacquainted, because it is not to be found in any account of the proceedings.

" Mr. Dundas, my next door neighbour, and who had been so for two years, knew perfectly well the situation of my family, with which others of the ministry might not, perhaps, be acquainted; but he knew it well. My family consists singly of myself, and two young women my children. He, a father of children himself, took me away suddenly, detained me in close custody, without any communication or correspondence, and left my house and my family for twelve days and nights in the possession of four common thief-takers from the police-office.

" It almost overpowers me when I think of it. Look at the refinement of this man's malice; it was not enough that their father's head should be stuck upon a pole, that his body should be quartered, that his fortune should be confiscated, and that his children should be sent out naked and friendless, and beggars into the world, unless he could contrive that they should be sent out *dishonoured* too. These are the men whom the admiral must support. I must do justice to one person in the administration, who was a father, and in a situation like my own

—he felt compassion for me, and did contrive a communication for me, by which I was enabled to prevail upon a lady and her daughter to put themselves into the same terrible circumstances, and go down to my house in the middle of the night, to continue and reside with my family, to save them from this intended dishonour.

"Now, then, gentlemen, I call upon all who hear me—men, women, parents, children, the candidate himself, and his adherents, if you have hearts, say, whether I was wrong in the epithet I used. For my own part, I say I was wrong in using that epithet, but I was wrong by necessity, for there was no word in the language strong enough to apply to him."

Seventh Day, Friday, June 3, 1796.

For sir Alan Gardner	2349
Mr. Fox	2275
Mr. Horne Tooke	1569

"GENTLEMEN,

"Before you heard the gallant admiral, I foretold to you, that he would speak against himself. You have heard him now, and have

you not heard him speak against himself? Mr. Fox has made it almost unnecessary for me to notice any thing that the admiral has said, except that he has missed the strongest instance of his condemnation. He says, 'that Mr. Fox has constantly voted against the measures of the minister good and *bad*.' Need I draw the consequence? He acknowledges that his friend, the minister, has proposed bad measures.

"The admiral has changed his phrase. He is a week older, and is now no longer a lover, but a friend. He tells you that he is a friend to the king, and a friend to the constitution. I did not hear him say one word about the people, and yet it is for their sake alone that we have either king or constitution. He has likewise avowed, that he is a friend to the ministry; and, though he has said so, I suppose he would wish it to be understood, that he is also a friend to his country. To be a friend to both, appears to me to be at this time very difficult; they appear as opposite as light and darkness. Yet it is not absolutely inconsistent, if you call in to your aid the circumstances of time and place. He may declare himself a friend to his country here upon the Hustings, and prove himself a friend to the minister by his vote in the house of commons. But for the direction of your con-

duct, in the course of the poll, he should have offered to you reasons why you should be the friends of the minister.

"To his friendship for the minister, he may probably be directed by a common proverb — 'Always speak well of the bridge which carries you safe over.' You need not trouble your head at whose expense the bridge was built, or who is to keep it in repair. But, gentlemen, I beg not to be misunderstood. I do not think that your late representative, lord Hood, nor your present candidate, admiral Gardner, have had, or ever will have, half so much as their professional merit and services deserve. No honest man will ever repine at the well-earned reward of bravery and talents. The naval and military services are two ungrateful professions. Neither the privates nor the officers have half the support which they deserve, nor are ever sufficiently recompensed. But I complain, and the public have a right to complain, that the minister perverts the professional talents and private virtues of brave men, and employs them as instruments to subvert the liberties of the country. To common boroughs, he may send men of no character, or men of infamous character — but, for a great city like this, he always takes care to pick out a person of the best character he can

find, and who will submit to be made this use of.

"If any person was to say to a man of common sense, 'I bring with me here an excellent *cook*, he serves me up very good dinners, I recommend him to you for a *hairdresser*,' the other would laugh in his face; and yet such is the manner in which the minister insults your understandings. If the admiral were to question me about the rigging of a ship, I should certainly make a very scurvy figure; and I strongly suspect, that if I was to put two or three questions to the admiral about the rigging of a constitution, he would not make a better.

"What has the glorious first of June to do with a representative in parliament? and yet the minister has made this a shameful pretence for the influence of corruption, and I have no doubt but you will also have another gallant service of the fourth of June.

"Every sort of decent respect to the king is certainly proper, but is that the anniversary most dear to Englishmen? Is there no other anniversary dear to us? Yes, there is one that is more dear to us than the birth-days of all the kings who have ever lived, or who have blessed this earth. I mean the birth-day of our liberty,

the anniversary of the Revolution of 1688; that revolution, obtained by our forefathers, was by them expressly intended to guard us against the evils of which we now complain, and against the politics which the admiral now avows. The admiral contents himself with telling us that he is a friend to the ministers, but he did not tell whether it was for their integrity or their wisdom that he admired them. We all of us feel their integrity in the taxes and the burthens which they have laid upon us; and as to their wisdom, let me give to you an idea and a sample of it. — The people were starving for bread — the wise corporation of the city of London met from day to day to find some relief to the starving people. The privy council met, and they requested the corporation to suspend their determination until they (the privy council) could find relief — What did this privy council say? — that they must find a substitute —— to Englishmen a substitute for bread!!! if you do not admire the wisdom, at least admire the impudence of it — Observe what would follow this. Suppose you had accepted of grains or grass for a substitute? If that had ever become the food of man, there would have been a scarcity of that too, and you would have had to find another substitute. But I say to you, (and for

this declaration I may again be called a traitor,) accept no substitute for bread; for, if once the common people of the country submit to eat grains and grass, or any thing worse than bread, they will never henceforward have any thing better.

"The admiral told you, if he had as many words as the candidate on his left hand, he would do something — I know not what. Now you must all have noticed every day, that the admiral has expended more words with you who stand in the front of the hustings, before the close of the poll, than have been used by Mr. Fox and me together after it was closed. He wants no words. He has a manly figure, a good voice, well chosen expressions; and when he talks upon a subject with which he is acquainted, and is not restrained from uttering his real sentiments, no man acquits himself better, and therefore I shall trouble you no farther, but wish you to request of him to answer those things which he has now heard."

Eighth Day, Saturday, June 4, 1796.

For sir Alan Gardner . . .	2624
Mr. Fox	2592
Mr. Horne Tooke . . .	1413

" GENTLEMEN,

" The admiral has undoubtedly said nothing to you to-day, that I can possibly contradict or reason upon. He has barely informed you, that your exertions have placed him at the head of the poll, and that the same exertions, continued in the same manner, will keep him there.

" It has been used as a reproach to Mr. Fox and me, that we had united for the purpose of the present election: I wish that reproach had a better foundation. In one thing, however, we certainly are of a mind, and probably in many others, as I believe and trust we are. But I think I risk no contradiction from any quarter in saying, that we certainly agree in this — that the stinking rubbish of the present administration must be removed before the foundations can possibly be laid of a building, which freemen may inhabit with safety and comfort.

" If the present election had been carried with a high hand against the minister from its

commencement, or if it should still (as it easily may) be carried with a high hand at the close of the poll; I have no doubt but the present administration would barely continue during the necessary interval for forming another.

"I hope, gentlemen, you will not be at all disheartened by the numbers upon the poll, but that, for your own honour, you will remember the manner in which the horse-dealer tries his cattle. Any sorry jade will draw, if the carriage follows, without much resistance, but the experiment he makes is this — he ties his horses to a tree, and when they find the tree does not follow, some of them, after hard struggles, lie down in despair, and no lashing can produce a fresh exertion. These are jades. Other horses strive and struggle, and strain and drag, until the horse-dealer is contented and satisfied with their bottom.

"Gentlemen — We are tied to a tree, the tree of corruption, and in this country its height and bulk and weight are indeed vast and enormous. The disinterested and generous exertions which you have already made in the course of this poll, have, I will venture to say, shaken it. Pull again — it will totter! and again, I say, gentlemen, pull again, and it will tumble to the ground!

" May I be permitted, gentlemen, to direct your pull. The electors of Westminster do not want inclination to the public cause of liberty in which we are engaged. They only require invitation. If every gentleman, who hears me this day, and is well affected to the same cause, will exert himself, and call upon, and bring up to the poll a willing elector, the minister's triumph will be of very short duration, and we shall at once send the admiral with glory and spirit back again to sea."

Ninth Day, Monday, June 6, 1796.

For Mr. Fox	2983
Sir Alan Gardner . . .	2979
Mr. Horne Tooke . . .	1634

" GENTLEMEN,

" I have more satisfaction from this day's poll than from all the days which are past: not because I have polled a greater number of votes, but because my poll continues steady. This poll shows a steady people, and the steadiness of the people is of more consequence than the gaining of any election. You have this day thrust down the admiral one step. The admi-

ral tells me that is a very small step: it appears, therefore, he does not value very much in being the first in your esteem. I trust you will go on, and give him an opportunity to show the excellence of his temper, by trying how he will bear to be put down the other step.

"The admiral has said nothing to you this day but to return you thanks, which he does not owe; for the numbers upon the poll are notoriously not given to sir A. Gardner, but to Mr. Pitt, the minister.

"The admiral told you the other day, (with what decorum you will consider,) that he should much rather choose to be returned your representative in parliament, (which is merely a political situation,) along with the right honourable gentleman, than with the other candidate, although, at the same time, he declared, that he disliked the politics of that right honourable gentleman. He did not, however, add a single word of disparagement of the other candidate, whom he rejected for a colleague — I do not think he can. But if he can, or if those who sent him here can, I should be glad to hear it; and I think, after such a voluntary and uncalled-for declaration, he owes it in his own justification to you: in the mean time, I am left to find out the reason of his preference from the expres-

sions which he has used. I am compelled to suppose, that the baronet's reason is contained in the two words *right honourable*; for with these words he graced that gentleman's name. A title before a name may be a very natural motive for a baronet's preference in the choice of his colleague; but I will endeavour very shortly to convince you, that it would be a very bad motive for you in the choice of a representative; and I shall do it with the greater satisfaction to myself, because Mr. Fox has a much better and a much more solid claim to your support; I mean that very opposition to the minister which the baronet dislikes.

" In this country, if any of you have been at the parade, or at a review, you have seen the commanding officers standing gallantly before their men, (as the candidates do here upon the hustings), and giving the word of command *in front;* you are egregiously mistaken if you suppose they do the same in the time of action. No, gentlemen; they then give the word of command *from behind.* This will always be the practice in all other services, as well as the military, as long as favour, and birth, and title, and parliamentary corruption, and money, promote men to superior offices. The higher their station, the safer in time of action will be their situation.

"Now then, gentlemen, look at the conduct of that enemy, from whom you may learn some other things more useful than the *telegraph* which we have adopted. With them superior merit and bravery alone promote their private men from the ranks, and place them in command, and even at the head of their armies. See the never failing consequence of this practice in their last brilliant victory at Lodi, when a column of their bravest grenadiers were for a moment stopped; and, hesitating at the furious cannonade of the Austrians, *six* of their generals rushed foremost at the head of the troops, gave their command, and, (what was better,) their example *in front*; on which the victory immediately followed.

"You, gentlemen, the electors of Westminster, and all the other electors throughout England, will do well to consider and to ask yourselves these questions:—

"In our present cruel struggle between liberty and slavery, who are the persons starving for want of bread?

"To whom do the ministry propose a substitute for bread?

"Who are the persons oppressed, beggared, dishonoured, vilified, and ruined?

"Who are languishing and rotting in their gaols?—[*A voice from the crowd said,* 'HORNE

TOOKE.'] — It is true, I have been frequently in prison, but at present I had forgotten myself, I was thinking only of you.

" I wish you to consider, who are sentenced to be flogged to death; or are tortured (the cruellest of all torture) with putrid diseases in their prisons?

" Who are sent as felons to Botany Bay?

" Who are cast into dungeons, and treated and tried as traitors?

[*Many persons present exclaimed,* " THE PEOPLE."]

" Gentlemen, you say true. It is so. It is we; we, the privates in the ranks.

" Where all this while are our political generals? Where were our right honourable and honourable representatives? BEHIND, SAFE in the REAR, *reposing on their beds of pension and privilege.*

" Gentlemen, believe me, you cannot possibly have the smallest chance, you cannot reasonably entertain even the smallest hope of success, unless at your elections you pass by these lords and these lordlings, these barons and baronets, and choose your representatives from amongst the privates in the ranks."

Tenth Day, Tuesday, June 7, 1796.

For Mr. Fox	3332
Sir Alan Gardner . .	3320
Mr. Tooke	2078

" GENTLEMEN,

" I have heard, with great concern, that an insult was offered to sir A. Gardner last night. I am firmly persuaded, that such an insult was not offered to him by any persons who have stood before these hustings during this election. If I thought it was, I should scarcely trust myself ever to open my lips here again; for I have spoken to inform you, but not to inflame you.

" I am very much pleased that you have listened patiently to the admiral this day; had you not, it was certainly my determination to have troubled you no more; for it appears to me as dishonourable to continue to deliver my sentiments in opposition to those of another candidate, who is not permitted to speak, as it would be to strike a man whose hands were tied.

" But, gentlemen, as you have heard him with respect, and as I am persuaded he will re-

tire this night to his house as quietly as either of the other candidates, I venture, for your information, to ask him some questions, which I should otherwise have suspended. The admiral can certainly give you material information, which no other person here can.

"The admiral has solemnly pledged himself to you for two things. To vote for an *honourable* peace, whenever that *honourable* peace can be obtained. [*Mr. Tooke here turned to the admiral, and asked him whether it were so? The admiral answered,* '*Yes.*'] The admiral does not retract, as I dare swear he never will, any thing that he says. He confirms the pledge. He has likewise pledged himself to combat the domestic enemies of the country. He told you, that he spoke to you as a seaman, which I suppose means the sincerity characteristic of the profession. He would disdain to make, or appear to make, in a solemn manner, an ambiguous or equivocal promise. I shall, by my questions, give him an opportunity to make it impossible for his most unjust and bitterest enemies to suppose that he could do so.

"An honourable peace!—What is an honourable peace? By your hearing the admiral patiently and silently, you will certainly know; and it is necessary that you should know what

it is he has promised, and for what he has solemnly pledged himself to you. Does the admiral mean, as the minister formerly told us, that in order to make it an honourable peace, an indemnification will be necessary for all the lives which have been sacrificed, and all the millions which have been squandered in this unjust, disgraceful, and disastrous war? I do not mean, without any deduction from the Prussian subsidy, for value received. I mean that part of it which was paid for the protection of Hanover, though for my own part I would not consent to deduct a farthing for it.

"Does he think it a necessary condition of an honourable peace, that despotism should again be reestablished in France.—[*Many of the people cried out, 'No, no!'*]—Gentlemen, I beg you not to forget that I expect that answer from the admiral, and not from you.

"Does the admiral think it a necessary condition, that the Stadtholder should be restored to that despotism in Holland, which he before obtained by the intrigues of our ministers and the Prussian troops?

"Does he think it necessary that the emperor should again be empowered, notwithstanding our guarantee to the contrary, to pillage and enslave Brabant and Flanders?

"Does the admiral think it a necessary condition, that no European power but ourselves should possess a foreign country?

"Most probably the admiral will not say, that these are now the necessary conditions of an honourable peace; for by this time they must have passed away from the dreams of the minister.

"Perhaps, on the contrary, the admiral and the minister may now tell us very reasonably and truly, the honourableness of the conditions of a peace depends upon the circumstances and situation of the country which makes it. Perhaps he will tell us, that Denmark acknowledges the French nation and government—that Sweden acknowledges them—that Venice and Tuscany, and Switzerland, and Genoa, acknowledge them—that America not only acknowledges, but is united in the closest bonds of friendship with them; besides our amiable allies of Tunis, Algiers, and Morocco.

"Perhaps the admiral will tell us, that Prussia has been pretty soundly beaten by them, and is now partly a defensive ally; and partly, as far as the line of demarcation is concerned, an offensive ally also. That Spain has been conquered by them, and is now in defensive alliance with them, and without great care will

soon be offensive too. That the Italian dominions of the king of Sardinia have been conquered, and are now actually in their possession, and the king himself at their feet. That Holland has been conquered by them, and is now established a free and independent republic. That the French are now in possession of the Netherlands, and of most of the German territories on this side of the Rhine.

"He may tell you more; he may tell you, that a blacker cloud hangs over our head. He may, perhaps, tell you, that, if by our great superiority at sea, we should once convince the French, and all Europe, that they cannot possibly hold a single island in the West Indies, or a single establishment in the east, they may probably change their plan, and convert it into a war of devastation in the west, and an auxiliary war in the east, and effectually prevent us from having any benefit in those foreign settlements, in which we will not permit them to have any share.

"If he should tell you all this, he will tell you nothing but the truth; and if he shall maturely reflect upon these things, he will, probably, before he leaves you, change the terms of his promise and his pledge, and may think those terms fit and honourable, in our present situation, which would have been thought the basest

and most disgraceful in any former situation which this country ever held, before they were cursed with the present incapable, tyrannical, and detestable ministry.

" He will, therefore, probably change the words of his promise, and pledge himself to vote for a speedy and necessary peace.

" He will tell you his mind upon this to-morrow; he will explain to you what he meant by that honourable peace, and if he should not do it in words, his silence will explain itself.

Eleventh Day, Wednesday, June 8.

For Mr. Fox	3665
Sir Alan Gardner	3604
Mr. Horne Tooke	2215

" GENTLEMEN,

" I have as much private and personal respect for sir Alan Gardner, as I have for any gentleman with whom I am so little acquainted; and yet it was not for his sake, but for yours, that I requested you to hear him patiently, and not to let him go away as great a stranger as he came. By stranger, I mean that you should be

as little acquainted with his political sentiments and principles, as you were the first day he set foot upon the hustings.

"You have heard him, and a most extraordinary explanation he has given of what he means by an honourable peace—*a peace of which we are not to be ashamed!* Would it not be well if he could tell us of a *war* of which we should not be *ashamed*.—But to know what *he* means by an honourable peace, you must press him farther, for we know as little by his present explanation as we did before. Perhaps so great is his attachment to and opinion of his friend the minister, that he may be inclined to think that any peace or any war will be honourable of which Mr. Pitt shall approve.

"Consider that you will have no other opportunity of inquiring into the sentiments of your representatives for six or seven years to come. The minister, as I take it, has sent sir Alan Gardner here upon this occasion for two reasons; the first, and, I suppose, the chief reason is, that he imagines he can rely upon his vote in the house of commons. The second reason is, that he is a professional man. The minister is very grateful to those who vote as he would have them. Preferment out of a profession always vacates a seat in parliament, but

professional preferment does not. The minister, therefore, chooses a professional man for his candidate at Westminster, kindly and genteelly towards you, merely to save you the trouble of repeated elections.

"The minister, I have no doubt, would, if he could, save you the trouble of having any election at all: he certainly takes as much care as he possibly can to prevent it. He proved it to you, not long ago, when he made lady Hood a peeress.—[*Some persons hissed, some shouted, some laughed.*]—It is impossible for me to know whether the gentlemen hiss at the peerage, or me—[*Numbers shouted, 'the peerage! the peerage!'*]—I beg not to be misunderstood, I mean to make no reflection on the peerage; I say now, as I have said before, that lord Hood has not half what he deserves. I mention it only as an instance of the minister's care to prevent your trouble: for when he had secured the peerage to the family, he delayed the patent to lord Hood till the dissolution of parliament, in order to defeat your election of a new representative.

"Gentlemen, on the same principle, if you should, which, notwithstanding the numbers on the poll, I still think you will not do; but if you should return sir Alan Gardner your repre-

sentative in parliament, I much fear we shall lose the benefit of his exertions in his first profession against our foreign enemies. For I should not wonder if the minister should be unwilling to trust sir Alan again to sea, for fear some accident should happen, to produce that which he dislikes more than all other things, another Westminster election!

"It is fortunate, however, for the admiral, that he has taken up a new profession, that of combating our domestic enemies. I call it a new profession, because it certainly never before was understood to make a part of the qualification of a seaman. I appeal to the admiral himself. I am sure he will acknowledge, that when he was examined and passed as a lieutenant in the navy, not one single question was put to him by the board of admiralty about the means of annoying domestic enemies? But by this new profession he has now taken up, he has pledged himself to combat the domestic enemies of the country. Surely, then, it is fair to ask him to explain himself. Surely, it is fair to ask him to point out these domestic enemies—it may be done in two words. He may tell us who they are, and with what weapons he means to combat them. Who but himself can tell?—Perhaps, when the admiral talks of domestic

enemies, he means me; perhaps he means you, perhaps he means the electors of Westminster, who have supported me; perhaps he means all those who are enemies to his friend the minister. If he does so, that would be a large list indeed, for it would include all those persons who are the real and true friends of the country.

"But I am not willing to give the admiral too long a task at once; perhaps the length of what I said yesterday, may be the cause of the shortness of his answer to-day. Let him tell us first who these domestic enemies are; let him satisfy us that he has not made a formal declaration of war against *Falstaff's men in buckram, and in Kendal Green.*—The admiral must have meditated deeply on this subject; it is impossible that he should rashly have dishonoured his country, by supposing domestic enemies, unless he certainly knew that there were such. Let him first, then, declare these enemies, and we will come to him for instructions how to combat them. We will fight against them under his standard, under any standard except the standard of the present minister, for he treacherously told us formerly, that the proprietors of boroughs were our domestic enemies; and afterwards, by the most atrocious means, he endeavoured to take our lives for following his own instructions.

"They certainly were his own instructions, for I have them in his own hand-writing. And yet I ought to be cautious how I say certainly, as I have no better authority for it than the minister's own oath in the late trials at the Old Bailey."

Twelfth Day, Thursday, June 9, 1796.

For Mr. Fox	3961
Sir Alan Gardner . . .	3884
Mr. Horne Tooke . . .	2303

"GENTLEMEN,

"You have, with great propriety, listened patiently to the admiral this day, and, I think, in some measure, you have been paid for it. You see it is very plain that he does not want words, and it is very plain to me, that he does not want matter. The only difficulty which he appears to me to labour under, springs not from himself, but from another quarter. He is restrained—he must not let out too much! As he explained to you what he meant by an 'honourable peace,' so has he explained what he meant by 'domestic enemies!'

"Gentlemen, I have discovered who are the domestic enemies — you may discover it, not

from their words, but from the practice of the minister and his followers. You know that disciplined armies are not permitted to plunder and pillage their friends. Those are the enemies from whom they take the booty.

"Gentlemen, a nation that has been treated as this has been, has a right to demand two things—security for the future, and justice for the past!!! One of the candidates, Mr. Fox, by his declarations to you from the hustings, has given you full reason to be satisfied, that he will exert his utmost endeavours to obtain them both for you. For my own part, for all that is personal to myself, I should be well contented to let the delinquents go free, provided we could obtain security for the rights of the people in future. The other candidate has given you no reason to expect his assistance in obtaining either. He is looking anxiously forward to that honourable peace, of which neither he, nor you, nor the minister will be ashamed. The minister, ashamed of the peace!! Who has not been ashamed of the war!!!

"The admiral sorrowfully told you he might be reduced to half pay: and that, in case of such an event, his major-generalship of the marines would not be worth more to him than about six hundred pounds a year!!!—[*Great shoutings*

and interruption for some time.]—Gentlemen, I am frequently compelled, perhaps from the improper mannér in which I express myself, to request you not to misunderstand my words. The general, I mean the admiral, though indeed I might call him either, for he is both!! [*again shouting and interruption.*] I do not mean to cast the slightest imputation upon the reward he has received!!! Before God, I think he deserves double. But the admiral did not, as I wish he had; he did not seem to cast a thought, at least he did not utter a word, concerning those other gallant officers in the service, who, with an equal claim with himself to reward, will be reduced as well as himself to half pay, and have no friend in the minister to make them also generals of marines. Another consideration affects me much more strongly; if there are to be sham generals and sham colonels of marines for the officers, why are there not sham marines for the private men? However, gentlemen, these neglected officers and privates will certainly have one resource left. They, too, may take up the new profession against the domestic enemies!!! and it would not be wonderful if they all did so.

"The sea-service is not a very active one, compared to this new service. Few admirals,

however fortunate, can expect to be in more than five or six brilliant actions in the course of their lives. The admiral has been in some. I mean to do him justice. But look at the other profession; see the difference of the activity and the difference of the booty. I will give you an instance of it. I mean that of Mr. William Grenville, now lord Grenville. I think he commenced his political warfare against domestic enemies, in the office of secretary to the lord lieutenant of Ireland, and he continued in that situation long enough to gain and take from the enemy one or two very comfortable reversions.

"But, gentlemen, this was only skirmishing in Ireland,—and, therefore, very fortunately for us, I mean very fortunately for him, (one is very apt to make those mistakes in speaking,) I say, very fortunately for him, he came over to us in England to join the main battle against the foe. He had scarce set his foot in the country when he attacked, not a very strong post, I mean, a seat at the treasury board, and that produced him sixteen hundred pounds a year. [*Many of the people cried, 'What, no more?'*] You say, 'What, no more?' He said the same!! However, he was scarcely warm in his seat, than he was again in action, and was quickly made paymaster-general of the forces.

"This brought him two thousand pounds a year!! But still his mind ran more upon receipt than payment—he soon quitted that station to become speaker of the house of commons, and that place is worth six thousand pounds a year!! You think now, perhaps, that I have finished the list of his exploits. Nothing like it! The wig of the speaker was scarcely fitted to his head, when he became secretary of state and a cabinet councillor. [*Many cried, 'What is that worth? what is that worth?'*] Why, it is worth, just as much as the conscience of the possessor will let him make of it. But his activity in these hostilities does not stop here. He is quickly made a peer! [*Numbers cried out, 'What is that? what is that?'*] Why I should have more difficulty to answer that question than any others. But his duty in the house, as a peer of the realm, and his employment as a cabinet councillor, and the business of his office as secretary of state, were not enough for his active spirit. He had still time left for further hostilities, and he was made ranger of both the parks. This brought him two or three thousand pounds a year. But all this would not do! He pushed on and attacked an old dismantled fortification, (many of the guns were dismounted,) but still it showed a formidable face to the enemy! He attacked it gallantly, and took it! He was made

auditor of the exchequer! And this produces to him, I believe, seven thousand pounds a year more!—Perhaps you will ask me, when he will think he has enough? I can tell you to a farthing. As soon as he is in possession of the utmost he can get!

"Now, gentlemen, there is something very strange, very extraordinary, which ought to be noticed, that in all these active services, and in all these hardships which he has gone through, this gentleman was never once known, at least as far as I have ever heard, he was never known once to complain for want of bread; no, nor of the dearness of bread, nor of any other pressure, which we all of us feel from our taxes and other burthens!!! He had found a substitute! This is one of those wise statesmen of this great nation, who entered into a solemn league and covenant, into a solemn compact and agreement with each other, that they would not, for several months to come, touch either pudding or pie!!! They proposed also a substitute for you. They did not indeed say what it should be, but these ministerial gentlemen are always very shy in explaining the terms and words which they make use of upon these occasions. You may have seen how it is here, when we push them to explain the meaning of their words, they are as

silent as dead men. There is a saying, indeed, that 'dead men tell no tales;' but that is not true in political matters, for in them it seems that dead men only tell tales.

"The famous historian, Mr. Gibbon, lately departed, has left a written account of his campaigns against the domestic enemy, and he explains the terms he uses as he goes. He too was for one or two parliaments in the house of commons; he too declared that he had a friendship for the minister, and he explained the term. By 'friendship for the minister,' he means that he voted with him upon every question. The minister had likewise a friendship for him, and he explains what that meant. No bribery — no corruption — nothing of the kind. The minister gave to him what he terms 'a convenient salary' of eight hundred and fifty pounds a year. Whilst Mr. Gibbon held this post, the domestic enemy attacked it, the minister's troops were discomfited, and Mr. Gibbon lost the convenient salary!!—What should he do now? Gratitude, he says, made him join another set of ministers. He explains the term gratitude, which he uses here, to mean the expectation he had of a thousand a year from them as commissioner of the customs. Well! he fought with them under their banners, and they conquered;

but then he complains that they did him great injustice; but he explains what he means here by injustice, and his explanation will make it unnecessary for me to explain any further; these are literally his words, 'My vote,' says he, 'was counted in the day of battle; but I was overlooked in the division of the spoil!!!' "

Thirteenth Day, Friday, June 10, 1796.

For Mr. Fox	4233
Sir Alan Gardner . . .	4174
Mr. Horne Tooke . . .	2407

" GENTLEMEN,

" The admiral bids me go on, for he shall say no more: he stopped at the word love. You see how unfortunate he is now in his amours. No wonder, gentlemen, he told you yesterday that he remembered the rebellion in 1745. But, gentlemen, you hear every day from the other two candidates, that the one or the other is at the head of the poll: I am afraid they may give you the change, and make you forget there is another struggle here than which of these two should be at the head of the poll.

"I have never troubled you with the state of the poll; and yet I have every day examined it: and since we are to talk of the poll, I will endeavour to make you understand it. I would not have you be discouraged at the numbers you see upon the board. In what I am going to say, I beg you not to suppose that I am ironical. I really am well contented with the state of the poll; and, when I say I am well contented, I mean that the public has reason to be well contented — for I am out of the question; it is their election, not mine. It is of some consequence that you should understand this poll. To understand it, you must see it dissected. I have dissected it daily. I may reason mistakenly, but I mean to reason fairly.

"At the close of the poll yesterday, it stood as follows: Mr. Fox's votes are of three sorts.

Votes for Fox and Gardner .	1663
Fox and Tooke . .	1572
Single votes for Fox only . .	726
Total	——3961

"To judge of this poll, you must consider the sorts of votes — because we must not dissemble; we must do justice to the devil. In order to estimate between the public and the minister, we must consider the influence which produced the votes.

"These votes for Fox and Gardner I attribute to the minister's influence. I cannot suppose that any of the personal friends of Mr. Fox, or of his politics, could have polled so unnaturally. If there should be an exception of two or three, or more, it would not alter the general aim of the reasoning. I suppose these 1663 votes to have been given to Mr. Fox by the minister.

"I stated to you, in the beginning of this election, that I had the honour to be the candidate most hated by the minister; and, for this, there are many reasons. Amongst others, you know that the degree of personal malice which one man entertains against another, is not in proportion to the injuries received, but to the injuries done. The minister has not yet attempted to murder the right hon. gentleman, but he has attempted to murder me! This then, gentlemen, is one reasonable ground for my supposition. Besides, the admiral, who is the minister's representative here, has confirmed my statement; for he told you in so many words, that he should choose to be returned your representative in parliament with the right hon. gentleman, rather than with me. Supposing, therefore, that these double votes for Fox and Gardner are to be attributed to the minister's influence, I deduct them from Mr. Fox's poll, and with that deduction his poll will

amount to 2298. I had polled last night 2303. I therefore estimate that I had then polled five votes more than Mr. Fox: but I ought not to say that I have polled; but that the public have polled. Now, I reason thus: if the electors of Westminster, notwithstanding the long friendship they have had for Mr. Fox, and their long acquaintance, have polled thus upon this occasion, they have done it from a just persuasion, that their own lives are at stake in the present struggle; for, if the minister can murder small men in the manner he has attempted, he will soon be able to murder great ones. This poll, therefore, springs from no dissatisfaction with Mr. Fox, but from your compassion for me, and your indignation at the attempt against me.

"Let us now examine the minister's votes; I say the minister's—for sir Alan is entirely out of the question. He will not be displeased with me for saying so. You may depend upon it, his vanity is not at all increased by this poll. He knows it is the minister's, not his; and he wishes the minister to have the full honour of it. The minister has polled 3884. His numbers are,

For Fox and Gardner . . .	1663
Gardner and Tooke . .	15
Single votes for Gardner . .	2206
Total ——	3884

[*Great shouting by the minister's friends.*] There is no mighty occasion for exultation at the numbers; for he might have had the 1663 as single votes into the bargain. The 15 polled for Tooke and Gardner — (*Numbers cried out,* 'Give them to him, give them to him.') No, I cannot spare the admiral these fifteen votes, as many of you would have me do. It is an extremely unnatural poll; but I think it is easily accounted for. Certainly they did not vote for the admiral by my influence; and as certainly they did not vote for me by the admiral's direction. Why then, it evidently must have been thus: these are men whose principles and heart inclined them to the public cause; but they must have been under some commanding influence, which they could not refuse; and must have said, when applied to, as has often been the case, 'Since you will have it so, I will give one vote according to your desire, and the other according to my own inclination.' I deduct, therefore, these fifteen from the admiral's poll, and then his numbers will stand 3869. From my own poll of 2303, I believe you will agree with me, that I need not deduct any. I have no personal connexions, I have no personal influence, and I have no money.

"What Mr. Fox has told you concerning

the declaration of the public opinion, by the numbers on the poll, is of some importance; and yet I hope not of so great importance as some may imagine. If it is of importance that he should be at the head of the poll, you must well bestir yourselves; for the minister is at present at least 1500 before him—But do not be discouraged; and if it is possible, put Mr. Fox at the head of the poll, in spite of the minister's 1500; though I confess, I think, that the public, in fair reasoning, have already declared themselves abundantly: for, when you consider, that, in the minister's poll, the judges have voted — the masters in chancery have voted — the king's messengers, his footmen, his scullions, and all that are dependent upon his household, and all that are dependent upon the admiralty, and all the other boards, officers in the customs and excise, and others who have no right to vote, you will see, when all these come to be deducted, what a thin, meagre, wretched skeleton, the minister's poll will make.

" It is impossible to form a precise judgment of this poll, until it is finally closed. This I can certainly say, that I have not, for my own part, yet polled one-third of those who have declared themselves in my favour. At the close of the poll I certainly mean to dissect the whole

of it; and if it shall appear likely to be useful to the public, I will give it to you — not by word of mouth, indeed, for I must not, until another election, talk to more than fifty people together, without the interference of a justice of peace; but for your information I will print it.

"I fear I have detained you too long. I shall add but one word more. Whilst I was addressing you yesterday, the admiral made (what I wish he would more often make) an observation upon what I was saying to you. I was giving you an instance, merely as a sample of the rest, of the grasping greediness of lord Grenville; the admiral said, he did not see what this had to do with the election. I know it is a sore place; and for that reason I touched it. Now I think it had much to do with the election and with the public, and ought to influence materially the conduct of the electors. It is of the utmost consequence to them, and if I had time, here upon the hustings, I would inform them through what pockets all their enormous taxes flow. The admiral surely knows of what consequence it often is to find out a leak at sea. I have found out the public leak — not where it runs in, but where it runs out: and the consideration and importance of it ought to direct your votes; for if you return the admiral to parliament, he

has not undertaken, and he will not undertake, to pursue any measures to stop this ruinous leak; but if you return me to parliament, I certainly will either stop that leak, or die in attempting it."

Fourteenth Day, Saturday, June 11, 1796.

For Mr. Fox	4625
Sir Alan Gardner . .	4486
Mr. Tooke	2560

After Mr. Fox had addressed the people, Mr. Tooke said,

"GENTLEMEN,

"It appears to me almost unnecessary to utter one word after what Mr. Fox has said. I am willing to concur in the statement of the poll which he has now given, nor am I disposed to contest any thing with a man who has spoken as he has now done.

"This poll is drawing towards a close, and this will probably be the last opportunity I shall have of addressing you. I will not tire you with thanks for the great favour and indulgence which I have experienced from you. I beg only

to assure you, that no man alive feels the insults of enemies less, or the kindness of friends more. —If God shall be pleased to protect my life from disease, and from the putrid dungeons of tyrannical and sanguinary men, whatever may be the final event of this poll, I will certainly meet you here again upon the first vacancy.

"Gentlemen, ministers have this day dared to commence the reign of terror in this land. I draw this consequence from what Mr. Fox has said to you. Two objects alone shall engage the remainder of my life: to obtain for the people what they have a right to demand, and must soon have — security for the future, and justice for the past."

Fifteenth Day, Monday, June 13, 1796.

The poll finally closed at three o'clock, when the numbers were —

For Mr. Fox	5160
Sir Alan Gardner . .	4814
Mr. Tooke	2819

The two first were accordingly declared to be

duly chosen; and, on the succeeding day, the third candidate took his leave by means of the following advertisement:

"GENTLEMEN,

"By the time when I shall next meet you at another election, your taxes, burdens, and oppressions, will be still heavier; and your desire of relief more ardent: for the ministers of this country are pursuing a career in which they cannot stop. They must go on, or go off. Corruption, like a dropsy, will swell till it burst. And the means of force and coercion which they have lately prepared for us — their treason and sedition bills, their volunteers, their fencibles, and their barracks — only tend to hasten the crisis.

Be moderate and firm. If we can do no better for our country, let our carcases at least manure the soil which has fed us. Our ancestors, in the last century, who fled from slavery, loved liberty well; but they who staid, and by their sufferings and exertions, vindicated and established it, loved it better, and deserved better of posterity.

"Again, gentlemen, I request you to be moderate and firm, and we shall soon obtain, what ought to be the morning and evening determina-

tion of every Englishman — security for the future, and justice for the past.

"I am, gentlemen,
"Your most obedient servant,
"JOHN HORNE TOOKE."

"*Wimbledon, June* 14, 1796.

This election, during which the poll continued open for a whole fortnight, cost the other candidates a very large sum of money. And it proved also expensive on the part of Mr. Horne Tooke, who spent nearly a thousand pounds on the occasion: however, the charge was not borne by him; for he has assured me frequently, that the money had been previously presented to him, by a man of considerable rank, whom he named, and who, as well as his family, was apparently well received at court, where he proved a constant attendant.

One singular event, that occurred during this election for Westminster, ought not to be here omitted. Early on the first day of the poll, the chamberlain of London appeared in front of the hustings; and, after an elegant compliment to the public virtues, talents, and fortitude of Mr. Horne Tooke, gave him his *sole* vote.

As a senator, Mr. Wilkes must be allowed to have been bold, intrepid, persevering. He

was, however, not only deficient in oratory, but devoid of all its graces and qualifications; for his utterance was difficult, his voice unmelodious, his figure unprepossessing. Besides the want of personal beauty, which the most eloquent man * of Rome deemed essential to success; he possessed the glaring defect of Roscius †, without exhibiting, in any eminent degree, a single accomplishment of that great actor. In point of composition, too, his speeches were dull and inanimate, neither sparkling with wit, like his conversation, nor abounding in point and repartee, like his writings.

As a man, his character was equivocal. He had yielded, without compunction, to all the passions in succession; and the witcheries of women and conviviality, proved ruinous to his affairs. His fortunes were soon swallowed up by the insatiable cravings of luxury; while a taste for foreign wines, and foreign manners, rendered him a dependent on the great, whom he affected to despise, and a suppliant to the crown, which it appeared to have been his constant aim to offend. Such were his necessities and his ambition, even in early life, that he had secretly

* Cicero de Oratore.

† "Erat perversissimis oculis."— Is not this to be termed *squinting?*

solicited a government, as well as an embassy, and had afterwards subsisted, in a foreign country, on a pension from that very ministry * which he appeared to condemn.

On the other hand, it must be allowed, that he cheered the death-bed of Lloyd by means of his bounty; and, after burying Churchill, at his own expense, erected an appropriate monument to his memory; thus resembling one of the greatest men † of antiquity, both in his virtues and his vices. The metropolis in him constantly beheld the champion of popular rights; and such was the unvarying attachment of its inhabitants, that after obtaining, in quick succession, the offices of sheriff, alderman, and mayor, he, whose principles were those of a professed libertine, was entrusted with the morals of the city youth, while its treasures were confined to the care of a man of ruined fortunes!

And yet, it is but justice to observe, notwithstanding so many sinistrous forebodings, that Wilkes conducted himself, as chamberlain, with exemplary discretion; and, after acquiring independence, enjoyed the satisfaction of beholding an unjust and degrading sentence expunged

* The Rockingham administration.

† "Alcibiades, et vitiis, et virtutibus celebris."
Corn. Nepot. Vit.

from the records of parliament. At length, neither unmindful of his adverse fortunes, in former times, nor the source of his present prosperity, he erected an altar to gratitude and the city of London, in a beautiful and romantic island *, not unworthy of the praise of the poet Tibullus; an edition of whose sonnets, constituted one of the last labours of his variegated life.

The year 1798 proved a busy and important one to Mr. Tooke. The first part of the "Diversions of Purley" had by this time obtained a considerable degree of circulation and celebrity. Both the subject, and the manner of treating it, possessed much novelty; the learned in England, and, indeed, throughout Europe, had received it favourably, and a high opinion was entertained of the author. A second edition was now become necessary, and was indeed called for by the general voice. He had accordingly collected and arranged his materials, and every thing being prepared, he now determined to gratify the public and himself.

This work, which is in quarto, contributed not a little to enhance his reputation, and it will be seen hereafter, that it tended greatly to improve

‡ The Isle of Wight.

his fortune also. The volume in question includes, among the additions, the copy of an original letter from Mr. Pitt to the author in 1782; and also some bitter allusions to the political conduct of Mr. Windham.

In 1797, an event occurred, that contributed not a little to vary the life and gratify the feelings of Mr. Tooke. This was the introduction of sir Francis Burdett, as a constant visitor and guest at Wimbledon. The baronet then represented Boroughbridge in parliament; and, having heard much of the talents and acquirements of the philologist, was desirous of his acquaintance. An intimacy soon took place, which at length ripened into friendship. They not only conversed daily, but actually studied together; and I have been given to understand, that, during the first year or two of their intercourse, several of the Latin classics were perused, and many of the favourite passages elucidated, explained, and commented upon.

It was soon after this period, also, that I first frequented the house of Mr. Horne Tooke. To that circumstance I am partly indebted to accident, and partly to the introduction of a common friend, a physician, since dead. Instead of finding a man equally repulsive in his manners and appearance, as some had taught me to expect, I was most agreeably disappointed, at

the first interview, to be received with the politeness of a well-bred gentleman, and entertained with all that ease, attention, and hospitality, which an intimate knowledge of the world, added to liberal sentiments, can alone confer.

When I first saw him, he had already passed the meridian of life, and his dress, which savoured of the *old school*, seemed to add an air of dignity to his conversation. His coat, which consisted of a dark brown English broad-cloth, was calculated for court, as it was destitute of the modern appendage of a collar; while his cuffs were adorned with a large row of steel buttons. His small clothes, exactly corresponded both in cut and colour; his waistcoat was handsomely tamboured; his stockings were of silk; he wore long ruffles at the wrist; while his hair was tied and powdered, in the manner of former times. In the midst of conversation, he generally recurred to the contents of a large snuff-box, containing rappee; and I thought I could perceive that he managed this in such a manner, as to render it serviceable to his wit and repartee. His house and table denoted great plenty, if not great opulence, and the view towards the lawn, which was terminated by a distant wood, always appeared delightful to me.

I had then resumed my studies, and was en-

deavouring to remedy those defects, in respect to education, which, unhappily, I could neither attribute to my college nor my instructors. I even aspired to become a man of letters. An acquaintance with a person so richly gifted, appeared to me, therefore, in no small degree desirable. I accordingly courted his acquaintance, and was not repulsed. I listened to his conversation, and was instructed; I followed his advice, and was benefited. A friendship of about fifteen years, was never once interrupted by any cloud; and, although I could not always subscribe to his political tenets, yet he kindly bore with a man, who differed from him in many essential particulars.

CHAPTER V.

FROM 1801 TO 1803.

Mr. Tooke obtains a Seat in the House of Commons — His Speeches there — Is excluded by Act of Parliament. — Account of his early Friends.

IT is a well-known fact, that Mr. Tooke had always been a strenuous advocate for the purity of election and a reform in parliament, the latter of which he deemed essentially necessary to attain for the people that precise degree of influence in the house of commons, which they possessed at the period of the revolution. The "borough-mongers" were always represented by him as a powerful and rapacious class of men, equally hostile to the king and the nation; and he had twice endeavoured to obtain a seat for Westminster, chiefly with a view of exposing their arts, and overturning their usurped power and authority.

Notwithstanding this, it actually so happened, in the course of human events, that he himself was returned for Old Sarum, a miserable, deserted hamlet, the vestiges of which scarcely remain at this period.

For this singular occurrence, he was indebted to the nomination of the late lord Camelford, a nobleman, so oddly formed by nature, as to unite with a taste for science a most ungovernable spirit, in consequence of which he at length perished in a duel with a friend. Before the politician of Wimbledon would engage under his auspices, he determined to be better acquainted with this nobleman, whom he had lately seen, for the first time, through the medium of a neighbour. He accordingly sat up three days and three nights with him, and at the end of that period consented to become one of his members! At the same time he introduced him to all his friends, among whom were lord Thurlow, with whom he had renewed his former acquaintance, the earl and countess of Oxford, who then visited at Wimbledon, together with many other respectable persons. His patron, however, always preferred to be alone with him, and was accustomed to observe, that he had reaped more instruction, as well as more pleasure, from his conversation, than from that of

any other person whom he had seen, during the whole course of his life.

As it has been confidently asserted, that lord Camelford's butler and steward, at that period, nominated the two members for this borough, and Mr. Tooke himself appeared to me to feel tenderly on that subject, I have been at some pains to ascertain the facts, and am now enabled to give the following list of electors on that occasion:—

1. James Burrough, esq. recorder of New Sarum;
2. The rev. Thos. Burrough, rector of Blanford St. Mary, Dorsetshire;
3. Mr. Cooper, of Salisbury;
4. H. Portman, esq.;
5. H. P. Wyndham, esq.; and
6. William Dean, esq.

Mr. Tooke took the oaths and his seat for Old Sarum, on Monday, February 16, 1801. Apartments had been previously provided for him in Palace Yard, so that he had but to walk across Westminster Hall, and was therefore little incommoded as to distance. On this occasion, he was saluted by many old friends, and passed through the usual ceremony of shaking hands with the speaker. This singular incident must

have been painful to one, if not both the parties, and it is said to have attracted the particular notice of the house and the gallery: for but a very short space of time had elapsed, since the *late* solicitor-general, who now occupied the chair, had been obliged to labour officially to convict the new member of treason; and, in a speech of several hours' duration, had actually endeavoured to subject him to all the penalties incident to that crime. The association of ideas at such an unexpected meeting, and in relations so different from what they had experienced during their former interview, must have been poignant. But the urbanity of the present lord Redesdale, and the courtesy of the representative for Old Sarum rendered the scene less embarrassing, perhaps, than it would otherwise have been.

Mr. Tooke, now in the sixty-fifth year of his age, had thus suddenly become a member of the legislature; but it was at a time of life, and under circumstances not altogether satisfactory; for he had always been ambitious to represent some populous city, such as Westminster, and no one ever felt the force of ridicule on this occasion more than himself. His increasing infirmities, too, rendered a constant attendance difficult, if not impossible. In addition to this, lord Temple, now marquis of Buckingham, on

the very first day that he took his seat, expressed a doubt as to his eligibility, and threatened an inquiry at no distant period.

Notwithstanding this, the member for Old Sarum took an active part in the debates. On the third day * of his appearance, he supported the late Mr. Sturt in his motion relative to the Ferrol expedition, on which occasion he conducted himself with equal temper and ability. "He was astonished," he said, "that ministers should resist an inquiry relative to so gross and palpable a failure, at the very time when the house appeared so ready to sit in judgment on the borough of Old Sarum, and the representative eligibility of an old priest!" He gaily inquired "what kind of contagious malady could be produced by his sitting among those who were pleased to call themselves the commons of England?" And asked, in a jocular strain, "whether a quarantine of more than thirty years was not sufficient to guard against the infection of his original character?"

On the discussion of the "Poor Relief Bill," originally proposed by the late duke of Bedford, he conducted himself not only with the most scrupulous decorum, but also proved, beyond contradiction, that he was well acquainted with

* February 19, 1801.

the new theory of political economy. Instead of indulging in wild speculations, as had been predicted, he strenuously declared himself an enemy to every departure from established principles. "This measure shall not have my approbation," added he, "as it is calculated to create two different classes of poor: to wit, paupers receiving alms, and paupers released from the obligation of paying them. I am for increasing the price of labour to its due proportion to the necessaries of life; and I wish for the working classes to receive the full price of their earnings, not in the shape of alms, but of hire."

A scarcity at this particular period was felt all over the kingdom, and various schemes were proposed to alleviate the calamities of a partial famine, which was now thought to be approaching. When the house was occupied on a bill, introduced by Mr. Wilberforce, relative to the high price of provisions, Mr. Tooke arose after that gentleman, and spoke as follows:

"MR. SPEAKER,

"I am poorly qualified, and I can be little expected to deliver an opinion upon any agricultural subject. In a committee, however, it is not necessary to make a studied harangue,

and I shall now say a few words without fear of exposing myself.

" It appears to me, sir, that your committees, with very good intentions, do a very great deal of mischief. They want information, they want sagacity, they want foresight. Had I had the honour to have been a member during the last session of parliament, the *poisoning*, (for I cannot call it the brown bread bill,) the poisoning bill should have had my most strenuous opposition. The first parliament of the United Kingdom has given a favourable specimen of their talents for legislating, by making the repeal of it the first of their acts. Under the names of charity, humanity, and benevolence, it was calculated to prove the ruin of thousands.

" All your measures have been of a similar stamp; far from producing any benefical effects, they are fruitful sources of mischief. Sir, it is idle now to think of keeping down the price of provisions: you cannot keep it down, and your aukward attempts will only make it rise the faster. Look back to the earliest times, and you see it constantly rising, and this cause continues to operate with increased force. It is in vain, then, to struggle with inevitable necessity. You will only heap abuse upon abuse. Remove the national debt, repeal the taxes, and then

you may hope to see things at a moderate price; but while you daily add to the amount of these, to entertain such a hope is madness. By this absurd and ineffectual attempt, the public distresses are rendered far more severe. The true friends to their country will allow things to rise in their natural course. By thus doing nothing, they will do every thing. They will avoid a thousand errors; they will save millions of lives.

"Sir, in my humble opinion, however paradoxical it may appear, you ought to try to raise the price of every thing. This doctrine seems extraordinary, but it may be right for all that; and I shall be ever ready to defend it. Notwithstanding all that has been said, I am a great enemy to innovation. I hate *innovation* in all things, in church, in state, and in agriculture. My *vital christianity* teaches me to love every thing that is established. Do I examine the attachment I ought to have to any system or practice, I do not examine its intrinsic merits, but I say to myself—Is it established? Though a much better might be pointed out to me, still I think it ought to be adhered to, and that no rash experiment should be hazarded.

"These are my opinions—these have ever

been my opinions. I have long been in public life; I have spoken a good deal, and written still more. But let any one examine my speeches and publications with the greatest minuteness, and I defy him to show that I ever expressed a sentiment contrary to what I now utter. Those principles, sir, compel me to disapprove of this measure; I cannot consent to see the system of agriculture changed; I cannot consent to see a man obliged to pay a premium against himself. It makes little difference whether the people pay more for the potatoes, or pay an additional tax for a bounty to produce them. But it is idle thus to think of lowering the price.

"If you wish to promote the comfort of the poor, raise, as speedily as possible, the price of labour. It is far too low, and must soon rise in spite of you. Though not young, I am not very old, and within my recollection the price of labour has been trebled. Effects will still follow causes, and it must soon advance much further. Why then struggle against a necessity which no human power can controul, and no human ingenuity elude? Where will the storm fall? I allow it must at last fall somewhere, and I say it must fall upon the public creditor. A man lends one hundred pounds to government, and gets three per cent. for it. If the

quartern loaf is at sixpence, he gets one hundred and twenty loaves a-year, but *now* he gets only forty or fifty, and in a short time he may not get twenty. Thus, in the course of things, he may be altogether ruined. The poor will not ultimately suffer, for their wages will be increased in proportion. The landed interest will not suffer, for their rents will be increased in proportion. The revenue will not suffer, for in the same proportion the ability of the people to contribute will be increased. The mischief will only fall upon the holders of stock, and as they are not a very numerous set of men, it will not be difficult to relieve them. These steps seem to be taken to prevent the monied interest from being alarmed. They certainly would be less willing to advance their money, but it is unfair thus to try to deceive them."

Mr. Tooke then entered into some calculations, to show the propriety of raising the supplies within the year, and the dreadful consequences which must follow from the annual augmentations made to the national debt. He concluded by apologizing for so long occupying the time of the committee, and expressed a hope "that his errors might lead some one to the discovery of truth."

At length, on the 6th of March, 1801, it was

ordered, on the motion of earl Temple, "that Mr. William Boucher, notary public, and deputy register of the diocese of Old Sarum, do attend this house upon Tuesday next, with the register book of orders celebrated by the right reverend father in God, John (Thomas) late lord bishop of Sarum.

"Ordered, that Thomas Wilson, clerk of the church or chapelry of New Brentford, in the county of Middlesex, do attend this house at the same time."

On the 10th of March, a motion was made, and the question being put, that the said William Boucher be called in and examined; the house divided. The noes went forth.

Tellers for the Yeas	Mr. Erskine Mr. Jones	66
Tellers for the Noes	The earl Temple Mr. Simeon	150

So it passed in the negative.

Then the main question being put, Mr. Boucher was called in, and at the bar produced a book, and the said book was delivered in at the table, and an entry therein, purporting that John Horne was ordained priest, on the 23d of November, 1760, was read.

Then Mr. Thomas Wilson, clerk of the church or chapelry of New Brentford was called in and

examined, with respect to the rev. John Horne having officiated for several years in the chapel at Brentford, as minister in priest's orders.

Then James Clitheroe, esq., of Brentford, in the county of Middlesex, was called in and examined respecting this matter, and also with respect to the said John Horne having afterwards taken the name of Tooke.

"Ordered, that a select committee be appointed to examine the Journals of this house for precedents."

And a committee was nominated, consisting of the earl Temple, Mr. chanchellor of the exchequer, Mr. solicitor-general, sir Wm. Scott, Mr. Abbot, the master of the rolls, Mr. Simeon, sir Wm. Young, Mr. Grey, Mr. Blackburne, Mr. Morton Pitt, Mr. Sheridan, &c. &c.

On Tuesday, March 10, lord Temple rose to make his promised motion, and, on this occasion, loudly professed, that he was actuated solely, in this arduous undertaking, by his duty to the house, his respect for its institutions, and his regard for the representation of the people. He concluded by disclaiming all personal animosity against Mr. Tooke, whom he was pleased to designate, by the epithet of "the *reverend* gentleman;" and to whose talents and acquirements he paid many compliments. His

lordship grounded all his proceedings on a resolution of the commons, purporting, "that no person, who either is or has been in priest's orders, or held any office of the church, can possibly be a member of the house of commons," and he proposed to call evidence to prove, that Mr. Horne Tooke was precisely in that predicament.

Mr. Fox, on this occasion, forgetting all former animosities, generously interposed in behalf of his *quondam* antagonist. He stated the impolicy of discussing facts of this kind, and affirmed that the noble lord had not made out such a case, as to induce the house to enter upon evidence.

Mr. John Horne Tooke then rose, and, addressing himself to the speaker, proceeded as follows:

"Sir—I rise to resist the motion which you lately put from the chair, not that I desire to delay the discussion of this question; my only wish is, that the discussion may be full and fair. I am as eager as any one that complete information upon the subject may be received, and any proper motion, that has this for its object, I shall willingly support.

"Before I enter on the question, I beg the house to recollect the previous proceedings.—

About three weeks ago, the noble lord gave notice, that, if in the course of fifteen days no petition was presented to the house, he should make a motion with regard to the representation of Old Sarum. — [*Some one having called out, 'No!' Mr. T. exclaimed, 'I say, yes!'*] — This was the nature of the notice, and it is in the memory of the house, that it is precisely as I have stated it. On the fifteenth and sixteenth days, I attended in my place, but nothing whatever was said. On the seventeenth I was obliged to be absent from severe indisposition, and when I came down on the eighteenth, I found that the noble lord had given notice of a motion for the 10th of March, respecting the eligibility of 'the rev. John Horne Tooke.'

"His lordship came up to me in a very polite manner, and handsomely told me what he had done. His conduct, certainly, sir, would have been more handsome, if subsequent proceedings had corresponded with this. When I asked him what the nature of his promised motion would be? he said that there was a difficulty about it, as the lawyers were not agreed. This was the eighteenth day after that on which I took my seat, and still the noble lord and his advisers remained undetermined! His lordship, however, assured me, that if I should at-

tend in my place next day, I should hear all the particulars; and, when I mentioned my illness to him, he promised to inform me by letter.—The following day I was able to attend in person, but no explanation took place. The noble lord made a motion for calling witnesses to the bar. I told him I would save him the trouble, as I frankly confessed that I had been ordained a priest more than forty years ago. It was declared from the chair that this would not be sufficient. For forty years I have been in the habit of attending to the proceedings of parliament. I have been often present in this house; I have been called to your bar. I have been brought to it in the custody of the serjeant at arms. I must, therefore, know something of parliamentary forms; and I do not hesitate to declare, that it has always been the practice to receive admissions. Indeed, what can this house have so worthy to be relied upon? It is never so well off as *habens confitentem reum*. You cannot administer an oath, and must be contented with simple affirmation. When an unhappy printer is brought to be examined, he is asked, whether he is guilty of printing the libel laid to his charge, and upon his confession, he is instantly sent where he deserves to go.

"I believe that fairness and justice call upon

the house to repel this motion, unless the noble lord shall explain more fully how he intends to proceed. He has not kept the promise which he made me. These lawyers, I suspect, have advised him to break it.

"He says he would treat his most intimate acquaintance and dearest friend exactly in the same way. For his own sake, sir, I hope that he would not. When he is moved neither by enmity nor profit, should he tamper with the lawyers to find out a flaw in other people's titles? I formerly gave credit to his professions. I now withdraw it, as it was improperly bestowed. I do not say that he is my personal enemy. I do not believe, sir, that I have a personal enemy in the world. He bears towards me, sir, violent political animosity.—[*A cry of 'Order! order!'*]—I beg pardon, sir, if I am out of order; I am sure I should be sorry to be so; but it is not easy to remain cool after the manner in which the noble lord has talked of my character, my politics, my principles, and my past conduct.—He desired you to keep these out of view: I desire, sir, that they may all be taken into consideration; the more they are scrutinized, I shall be the better pleased. You are bound to consider these topics before you come to a just conclusion; and I am at a loss what could be

the noble lord's motive for giving you such advice.

"I apprehend that the lawyers are at the bottom of this motion of the noble lord's. I know well the modes which these gentlemen pursue in striving to accomplish their ends. Do not let me be misunderstood, sir. I love and honour the profession. I had once a near prospect of becoming a member of it. About five and forty years ago, I believe the very term in which the present chief justice of the king's bench entered as a student, I myself was enrolled. I reverence the profession of the lawyers; I wish to God I could always approve of their practice. Their motto, I must say, however, is *dolus an virtus*. About the justice of the cause in which they engage, they are not over solicitous, nor are they very scrupulous about the means they employ to gain their ends. They seem here to have wished to make a jumble, a bustle, and a scramble; and, by throwing every thing into confusion, to get a lumping vote. From the practice, I must necessarily infer, that this has been the advice, and that these have been the advisers.

"The result of this discussion is of no great consequence to me. However, I reckon myself bound to resist acts of injustice and op-

pression, that they may not be drawn into a precedent.

"I shall, therefore, state the question, and nothing more on my part, I trust, will be necessary. I shall be able, I hope, to place it in so clear a light, that it will be understood by any country gentleman, or even by any lady, as well as the profoundest lawyer. If the house is to determine whether a person who has once been in orders can sit here, it is their duty, first, to consider whether there is any specific law against it. That this question must be decided in the negative, is pretty clear, from the line of conduct which has been pursued this day. To what other law are you next to resort? You surely will not rely implicitly upon the opinions of counsel, however highly you may think of their knowledge, integrity, and disinterestedness.

"Five questions immediately present themselves; for this grand question is the fruitful mother of many more. I should be very happy, sir, if all these five were decided against me, for if one of them is decided in my favour, all is lost, *ipso facto*: down go the contest and the controversy. The question is at present so confused and perplexed, that all must be puzzled with it. It puzzled me, sir, for some time;

at last I succeeded in reducing it to distinct heads. We must now have recourse to the canon law, and ask, in the first place, whether the canon law legally binds the proceedings of the house? I have no intention, whatever, sir, to discuss the point. I merely wish to show what inquiries the house must enter into before they come to a determination.

"We next examine whether the canon law is binding upon the clergy in the profession and out of it, in their civil as well as religious capacity? In the third place, is the canon law binding upon me, who have long ceased to officiate as a priest, and have long laid down that sacred character? Two others still remain behind, equally difficult of solution, and equally necessary to be solved. Is it possible for any one, who has once entered into holy orders, again to become one of the laity? or is it once a captain, and always a captain. I know there are three canons on this subject; one says a clergyman shall not bear arms; another, a clergyman shall not be a civil magistrate; and a third, that a clergyman shall not use himself as a layman. Clerical representatives of the people have not certainly been very common, but we have clerical volunteers, and clerical justices of the peace. The two first canons are, therefore, kept back,

and the last only is relied on. It is then to be determined, whether a clergyman, by having a seat in the house, does or does not use himself as a layman. I said I would not argue these points: I throw out these things for the consideration of the learned gentlemen over the way, and I wish them fully to consider this statement. I have great faith to put in their opinion. Let them, therefore, declare their judgment before the house comes to a final decision.

"Having said so, I cannot help adverting to some things that fell from the noble lord. It must be allowed that he displayed a liberal, generous, and elevated spirit. At the same time, I hope the house will pay little regard to his *boasted stake* in the country. I, too, have a stake in the country, and a deep stake; it is not stolen, to be sure, from the *public hedge*, for I planted it myself. This stake, sir, I would not exchange for all the notes of the noble lord, together with the notes of all his connexions. In this, too, I think mine is different from his, and far to be preferred to it; his cannot be increased without detracting from the public stock; mine is my character, and I cannot add to it without having added to the information, comfort, and happiness of the people."

Lord Temple having persevered in his inten-

tions, witnesses were called to the bar. After a report had been delivered in, it was moved, "That the speaker do issue a warrant to the clerk of the crown, to make out a new writ for the borough of Old Sarum, in the county of Wilts, in the room of the reverend John Horne Tooke, who is ineligible, being in priest's orders." This was resisted by that gentleman, in a short address, of which the following is the substance. Mr. Tooke prefaced his speech, by observing, "that he had but two struggles in his life, before the present, which were in any shape personal. The first was, when he applied for the degree of master of arts, which, by-the-bye," he added, "a great dog might obtain, if made to articulate the words, *probo aliter*;" and the second, when a doubting set of the benchers rejected his claim of admission to the bar, without any reference to law or precedent.

In regard to the present question, how it may end he knew not; but, for the sake of others, he was desirous to maintain his rights; but so far as he himself was concerned, no anxiety prevailed on the score of privileges — for he owed no money!" He then animadverted on the unparliamentary conduct of the committee, in *delegating their delegated powers* to others, to examine old records; the result of the search

was, that *clerk*, (an epithet applied in those days to any person who could read,) signified a clergyman. He asserted that the committee did not even understand the Saxon characters, and remarked, that, in quoting *twenty-one cases*, they had made no less than *eleven* mistakes.

He next combated the doctrine, that he could not lay down his function as a priest; which doctrine, he thought, must appear futile, when it was recollected, that there were many canons that dwelt on the deposition of priests. "One of these states," added he, "that if any clergyman attempted to cast out devils unlawfully, such person should be deposed. Now, for example, Mr. speaker, if I had attempted to cast the devil out of this house, I must have been deposed, and of course been deemed eligible. But, in this case, my only crime is my innocence—my only guilt, that of not having scandalized my order. I feel myself, sir, exactly in the situation of the girl who applied for reception into the Magdalen. On being asked respecting the particulars of her misfortune, she answered, she was as innocent as the child unborn: the reply was, "This is a place only for the creatures of *prostitution*, you must go and qualify yourself before you can be admitted."

After a few words from Mr. Fox and Mr.

Erskine, in opposition to the motion, Mr. Addington, who had just been appointed chancellor of the exchequer, most unexpectedly arose, and moved the *previous question* *, which put an end to discussion for the present. But on the 6th of May, the new premier brought in a bill, "to remove all doubts relative to the eligibility of persons in holy orders to sit in the commons' house of parliament." While this was under discussion before a committee, the member for Old Sarum proposed the following clause:

"That every person in holy orders, on accepting a seat in that house, shall thenceforward be incapable of taking, holding, or enjoying, any living, or ecclesiastical promotion; and further, that he be incapable of holding any place or office of honour or profit under his majesty." This amendment, however, was negatived.

On May 13, a petition from Edward Rushworth, esq., was presented, stating: "that the petitioner was, twenty-one years ago, ordained a deacon, but never exercised that office for above two months, and, considering that he was authorised to relinquish that order, he has for up-

* Tellers for the Noes { The earl Temple, Mr. Wm. Wynn } 53

Tellers for the Ayes { Mr. solicitor-general, Mr. Bragge } 94

wards of twenty years given up the same accordingly, and was, in October, 1780, elected a member of the house, for the borough of Yarmouth, in the Isle of Wight, and took his seat for that borough; and that the petitioner was also, in 1782, elected a member of the house for the borough of Newport, when a petition was presented against him by John Barrington, esq. upon the like point, that the petitioner was ineligible as a deacon, and which, being referred to a committee, pursuant to law, the said committee unanimously declared the petitioner duly elected; and he accordingly sat in the house as member for the said borough, until the parliament was dissolved in 1790. And the petitioner, considering his right to be elected a member of the house fully ascertained, by the decision of the committee to whom the petition against him was referred, is greatly alarmed, lest the same should be destroyed by the passing of the said bill into a law; and therefore praying that the same, so far as it affects his right, may not receive the sanction of that house."

The bill, however, passed, and was carried up to the house of lords in the usual manner. There it met with but little opposition, except from lord Thurlow. That nobleman, now in the decline of life, and fast verging towards the

grave, determined, on this occasion, to make up for his former enmity against a gentleman, whose talents and genius had at length acquired his esteem. He accordingly rose in his place, and strenuously advocated his cause. He hoped, that ministers were not actuated, on this occasion, "by personal antipathies;" and ridiculed the idea of "legislating against a single individual." His lordship, at the same time, contended, that he must be a man of no common abilities, who was thus about to be proscribed by a new and extraordinary statute; but he hoped, that the house, which he then addressed, would not give its countenance to a proceeding, equally unsanctioned by principle and by precedent.

Notwithstanding this, the bill was carried through all its stages, without any further opposition, and, in the course of a few days, received the royal assent.

By that new law, Mr. Tooke was, however, permitted to retain his station until the dissolution, which ensued soon after. Being then disfranchised and precluded from sitting in the house of commons, by an express act of the legislature, which, without naming, was obviously aimed at the exclusion of him alone, he retired once more to a private station. This was in some measure rendered necessary by his

increasing years and disabilities; by his distaste for the situation he had occupied; and, above all, by his uniform attachment to a country life.

Thenceforth, he confined himself almost entirely to his house and his gardens, and, in the peaceful shades of Wimbledon, cultivated literature and friendship. There, too, by his attention to rural affairs, he seemed to soothe the approaches, and assuage the paroxysms of disease. Life, for the first time, perhaps, since his childhood, now flowed on in one smooth, undeviating current, varied only by occasional study, and the interchange of good offices with his neighbours and acquaintance. He still, however, retained all his faculties unimpaired. His masculine mind yet continued to dictate to all who chose to consult him, and his responses were usually received, like those of the oracles of old, with implicit deference. The habitual influence exercised over those who associated with him, indicated his customary energy; and at once evinced a predominant genius, fitted by nature for command, and accustomed to be uniformly obeyed.

At the general election, he published the following advertisement.

"TO THE ELECTORS OF WESTMINSTER.

"*Wimbledon, June 26, 1802.*

"GENTLEMEN,

"It has lately, for the first time, been discovered, that something (I know not what) mysterious, miraculous, and supernatural, was operated upon me nearly half a century ago, in this protestant country, which has divested me, at the close of my life, of the common rights of a a man and a citizen. I am thus prevented, by a miracle, from keeping my word, and offering to you again my services in parliament. This, however, I regret the less, because, from what I have seen, I am perfectly satisfied, that (constituted as that assembly at present is) nothing short of another miracle could possibly enable me to render you any service there.

"At sixty-six, when time and infirmity had already disqualified me for any considerable exertion, exclusion from that parliament (of which Mr. Christopher Atkinson was at the time an undisputed and welcome member) by an act of the legislature, made upon the spur of the occasion, against an individual, I accept as a singular compliment to the persevering endeavours

of my past life, and, in times like these, as a most honourable conclusion. At the same time, I acknowledge it to be an act of mercy in my old electioneering comrade, the present chancellor of the exchequer*, who brought in the bill; for if, instead of this exclusion, he had proposed to hang me immediately in the lobby, he, or any other chancellor of the exchequer, would have been followed by the same majority.

"I return you, gentlemen, my sincere thanks for the honourable support you afforded me at the two last elections, which, under the circumstances, far exceeded my expectations; and for the noble support you had prepared for me on the present occasion. I shall continue, during the short remainder of my life, most steadily attached to the ancient freedom of my country, (as it was practically enjoyed under those honest old gentlemen, George the First and Second,) and your grateful servant,

"JOHN HORNE TOOKE."

In the course of the next year, died a gentleman, long and intimately acquainted with the subject of these memoirs; I shall therefore seize

* Lord Sidmouth.

this opportunity to give a short account of him.

Mr. William Tooke, born in 1719, was originally bred to commerce, and, early in life, followed the profitable employment of a Blackwell Hall factor. While busily occupied in this situation, he conceived the extraordinary resolution of leaving off business the moment he should attain the sum of fifty thousand pounds: and, what is still more wonderful, he actually kept his promise! With this fortune, he became a patriot and a private gentleman; took chambers in Serjeant's Inn, and supported Mr. Wilkes until the dispute between that gentleman and Mr. Horne, when he openly adhered to the latter, and published a letter in his favour.

Being a man of known opulence and respectability, he was generally appointed treasurer to all the political societies, of which he was a member, and acted in this capacity, in the affair of the widow Bigby's appeal, which enabled him, in 1771, to clear the character of his friend, from the aspersions that had been thrown out by the partisans of his adversary.

Having at length determined to invest his money in land, he, with part of it, bought the estate of Purley, near Croydon, in Surrey, formerly the residence of Mr. serjeant Bradshaw,

who sat as president of the court that tried Charles I. With another portion of his fortune, he made a joint purchase, in conjunction with Mr. alderman Oliver, of a plantation in the West Indies, on which there were a great number of negroes: a circumstance that did not escape the pointed ridicule of Mr. Horne, who expressed his astonishment, "that two such great sticklers for liberty, should buy and sell their fellow creatures!" This proved, however, a very profitable speculation, and as Mr. W. Tooke was fond of money, he readily put up with the joke.

But, notwithstanding his rivetted attachment to the precious metals, his purse was always open, whenever any appeal, of a public or national import, was made to his generosity. So strong were his feelings on these occasions, that, when a subscription was talked of, he immediately made a voluntary proffer of one, two, or three hundred pounds, according to circumstances; but, with a characteristic bias to the ruling passion, he soon cooled, and at length gave but one half of what he had at first mentioned: yet this was still a handsome sum, and, had he not himself hinted a greater, might have been deemed a munificent donation! The vicar of Brentford has assured me, that, knowing this

failing, he always asked for twice as much as was wanted, and was thus sure to succeed to the full extent of his wishes. Mr. Horne Tooke visited frequently at Purley, and resided there sometimes for a fortnight. His great philological work was called after this place; but not a single word of it was ever written there. The "Diversions of Purley," consisted in riding on the Downs in the forenoon, and playing piquet in the evening!

Out of compliment to his friend, however, not only did his ΕΠΕΑ ΠΤΕΡΟΕΝΤΑ assume this appellation as a second name, but the host was introduced as a third person in the dialogue; the author himself, and his old college companion, Dr. Beadon, bishop of Gloucester, were the other two. On being accused, by the latter, of partiality to this place, from "political prejudices and enthusiasm," he thus combats the charge, and at the same time pays a high compliment to his entertainer:

"But are you really forced to go above a hundred years back to account for my attachment to Purley? without considering the many strong public and private ties by which I am bound to its present possessor, can you find nothing in the beautiful prospect from these windows? nothing in the entertainment every

one receives in this house? nothing in the delightful rides and walks we have round it? nothing in the cheerful disposition and easy kindness of its owner, to make a rational man partial to this habitation?"

Mr. William Tooke appears to have been a shrewd, sensible man; and, although not regularly bred to the law, yet he had great experience in the profession; and, at length, understood the practical part with uncommon precision. On the leading principles, Mr. Horne was always consulted by him; and he never undertook a suit without asking his advice. No fee was, however, either offered or expected; the assistance of his friend being always voluntary and gratuitous.

It has already been mentioned, in what manner Mr. Horne stopped the inclosure bill, and how he braved the displeasure of the house of commons on his account. The sequel is worthy of notice. Near to Purley, was the mansion of his old antagonist, Mr. De Grey, brother to the attorney-general, sir William De Grey, afterwards chief justice of the common pleas, a gentleman who claimed certain manerial rights over the estate in question. Mr. W. Tooke, perceiving that the *lord*, in virtue of certain lands, turned in his sheep upon his grounds, at particular

seasons of the year, in conformity to a custom then deemed immemorial, determined to dispute the pretended right, and succeeded in the contest. Soon after this, he exchanged a piece of ground with his neighbour, for that which laid claim to the disputed privilege; and, having obtained the writings, he discovered, after a laborious research, that the right of turning in *ewes*, not sheep, was vested in the possessor, and actually exercised this claim to its utmost extent, to the no small mortification of his *quondam* antagonist.

In the course of a few years, a fresh dispute occurred with the De Grey family, respecting certain fishponds. On Mr. Horne's being consulted, as usual, he gave it as his decided opinion, that the best way of proceeding, would be to treat this affair in a different manner from any of the former suits: in short, to consider it as *nuisance*, and abate it accordingly, leaving the *onus* on the plaintiff, to prove his own right.

Mr. Horne Tooke, who was my informant on this occasion, added, "that his friend, having now arrived at a *prudent* age, was not fond of such desperate councils, he therefore wished to consult a celebrated and eloquent advocate, since ennobled. A brief was accordingly transmitted, in

which the case was stated at full length; and Mr. Erskine, in the usual manner, pointed out a *circuitous process*, as affording the wished-for prospect of redress "in due course of law." Notwithstanding this, in private and confidential conversation with Mr. Horne, he allowed, *that force would be the more expedient mode*, although it might not be decorous for him to recommend such a proceeding formally, and in writing.

Mr. W. Tooke, however, still hesitated, and refused to take any step whatsoever unless his friend should transmit a written copy of the conversation, drawn up by his own hand, and to which his signature should be affixed! The latter on this felt his pride alarmed, and refused; on which a great coolness ensued for some time. This, however, did not last long, for I afterwards met him at Wimbledon; and, although they joked with one another pretty roughly at dinner, yet Mr. W. Tooke, in the course of the same evening, observed to me, "that our host was a man of great and original talents;" and concluded by asking me, "if I had ever beheld his equal?"

He seemed to dislike being called, "Old Mr. Tooke," observing, that the other gentleman, who constantly made use of this appellation, "was only five or six years his junior, and there-

fore not entitled to be called *young Mr. Tooke*." Indeed our entertainer did not personate the character of an expectant with any degree of ability; instead of appearing the heir of Mr. William Tooke, he seemed actually to be his patron, and perhaps, by way of showing his independence, treated him much more cavalierly than any of his guests.

I have learned, that on some slight misunderstanding taking place, the man of fortune threatened to disinherit the man of letters, and told him, he would "send for Mr. Harwood, his own nephew, to succeed him!" On this, the latter, getting up, affirmed, with much solemnity, "that he never would see his old friend again, if the gentleman, of whom he now heard, for the first time, was not brought immediately from Norfolk." This was accordingly done, and they lived in great cordiality together for many years, having at length agreed to divide that property, of which they were considered as joint-heirs, between them.

But by this time the testator had become so extremely capricious, that, after making several wills, he finally left the bulk of his fortune to his great-nephew Mr. Beaseley, who is allowed by all parties to have conducted himself with great generosity on this occasion.

On the death of Mr. William Tooke, October 25, 1802, at Thornton, near Walton, in the county of Norfolk, in the 83d year of his age, it was discovered that he had left only five hundred pounds to Mr. Horne Tooke; the mortgage on the house, was, however, cancelled, and all bonds and obligations surrendered.

Colonel Harwood was soon after called on to fulfil his former agreement, and he at length gave an obligation for the sum of four thousand pounds. This bond, which unfortunately gave birth to a tedious and expensive Chancery suit *, was immediatly invested in the hands of

* The following is a note of the proceedings in the High Court of Chancery, April 27 and 28, 1804:—

COLONEL HARWOOD *v* MR. HORNE TOOKE, AND SIR FRANCIS BURDETT, BART.

Mr. Romilly moved the court for a rule to show cause why the defendants should not be restrained by injunction from negotiating or paying a certain promissory note for 4000l., from the complainant to the defendant John Horne Tooke, and why the defendants, sir Francis Burdett and John Horne Tooke, should not be restrained from issuing or sustaining any process at law against the complainant, respecting such a note, upon the ground of its having been surreptitiously obtained. The learned counsel stated the allegations contained in the complainant's bill. They were in substance to this effect: that lieutenant-colonel Harwood, the complainant, about the year 1788, became acquainted with the defendant John Horne Tooke, formerly called

sir Francis Burdett, for the purpose of purchasing an annuity for Mr. Tooke's family.

John Horne, through the introduction of William Tooke, esq., his maternal uncle, lately deceased. That John Horne Tooke, esq., had assumed the name of Tooke in 1782. That William Tooke bequeathed the bulk of his large property to the complainant, his nephew, and the children of John Beaseley, of Norwich, and left the defendant, John Horne Tooke, a legacy of five hundred pounds, and remitted a mortgage of seven hundred pounds, with fourteen years' interest, secured on his estate at Wimbledon.

That the complainant entertained a very great regard and esteem for the defendant, John Horne Tooke, and frequently exerted himself to serve him, &c. That, upon the complainant's coming into possession of his fortune by his uncle's death, he was importuned by John Horne Tooke to grant him an annual allowance in aid of his limited income; and the defendant stated he should be satisfied with having three annuities of one hundred pounds each settled upon his family: the complainant, on this, expressed his readiness, in conjunction with his nephew, John Beaseley Tooke, to accede to his solicitation, particularly desiring that no communication should be made to his nephew upon the subject, without his participation; but that the defendant, in violation of his promise, obtained the grant of an annuity of one hundred pounds from J. Beaseley Tooke, with an anticipated payment for one year. The bill farther stated, that about the month of July, 1803, the defendant, John Horne Tooke, sat for his picture to Mr. Opie; upon which occasion the complainant, for whom it was intended, and who was to pay for it, used to send his carriage to convey the defendant from Wimbledon to the artist's house, in Berners Street. The defendant never mentioned any thing farther upon the subject of the annuities till the last day of his sitting for his portrait, when he en-

It ought not to be omitted here, that the young ladies were also remembered; but only to

tered the complainant's breakfast parlour, and represented that he had purchased three annuities of sir Francis Burdett, at the sum of three thousand six hundred and sixty-six pounds. The complainant expressed his inability to pay so large a sum of money for the purchase of annuities; observing, that he was ready to fulfil his promise, by securing the proposed annual allowance upon one of his estates. The defendant, Horne Tooke, in the most violent agitation, exclaimed, "I'll hear no more — my honour is engaged to Mr. Coutts, the banker. The money was to have been paid yesterday — to day it must be paid." Then pulling out his watch, he added, "Twelve o'clock I appointed him — it is now half past, and no doubt he has waited for me." He then took out of his pocket a stamp, and also another paper, on which was written the form of a promissory note for four thousand pounds. The complainant was explaining his reasons why he could not engage to pay such a sum, when the defendant, with increased agitation, said, "I can hear no reasons — my credit with Mr. Coutts is ruined, if I am not now aided by you." The complainant declared he could do nothing without consulting his nephew. Upon which the defendant, apparently more agitated, observed, "I am sorry to see you have met with a great misfortune — when you was a poor man, you did for me all I now ask of you." The complainant, urged by his earnest entreaties, accordingly signed the note, which the defendant immediately took to the banker's, and placed to the credit of sir Francis Burdett. The bill then stated, that the complainant, discovering that the defendant clandestinely, and in dishonour of his word, obtained an annuity from his nephew, and having also heard that there subsisted some money transactions between him and sir Francis Burdett, suspected the truth of the defendant's representations; and, upon inquiring at the banking-

the amount of one hundred pounds each, being the exact sum Mr. W. Tooke had bequeathed to his

house of Messrs. Coutts, discovered, that they had never been concerned in negociating any annuities on account of the defendant; and that he was not, nor ever had been, under any pecuniary engagement with them, nor in any ways pledged respecting the consideration of any annuity. The complainant conceiving he had been tricked out of the note by false representations, and that it was not intended to be applied to the purposes for which it had been given, wrote a letter to the defendant, J. H. Tooke, acquainting him with his suspicions, and desiring that no use might be made of the note. To this letter the defendant merely sent a verbal answer, telling the complainant to call upon him. The complainant sent another letter, to which an evasive answer was returned; upon which he addressed a note to sir Francis Burdett, explaining the transaction, and requesting him, as a man of honour and probity, not to take advantage of a note extorted from him under such circumstances. To this sir Francis replied, that he could be no judge of any transaction between the complainant and Mr. Tooke, and that he was convinced the latter was incapable of acting dishonourably—that he had consented to grant annuities to Mr. Tooke and each of his two daughters; and whether the note was good or bad, why it had been given, or how obtained, he was ignorant of. The bill went on to state, that the complainant afterwards met sir Francis in Westminster Hall, when that gentleman, though well known to him, cautiously avoided coming to any explanation. Upon this he wrote to sir Francis, desiring to know whether he considered him resposible for the note, but received no answer. The complainant gave notice to the banker, that the note had been obtained on unfounded representations, and desired it might be given up to be cancelled. The bill then charged, that the defendant, sir Francis, had impleaded the complainant, and combining

postillion, although he had held out hopes to miss Charlotte of a considerable provision!

and confederating with other defendants, pretended the note was given as a security for money advanced by sir Francis to J. H. Tooke. It further charged, that the consent alledged by sir Francis to secure annuities to the defendant Tooke's daughters, and to receive the note in payment, was the more fraudulent, inasmuch as he had agreed to grant an annuity to a large amount to J. H. Tooke personally, the purchase money of which was to be raised by voluntary contributions among his friends; and therefore the complainant inferred that the note for four thousand pounds was obtained under false pretences, and to make good the deficiency of such subscriptions.

The answer of the defendant, J. H. Toooke, generally denied the allegations contained in the bill, and stated that he had been instrumental in the deceased W. Tooke's sending for his nephew, the complainant, to reside with him; that they entered into an agreement to share what the testator Wm. Tooke, should leave to either of them; that the testator, however, left the principal part of his property to J. Beaseley Tooke, who agreed to divide it with the complainant: that the defendant, J. H. Tooke, took an active part in this arrangement, for the benefit of the complainant; in consideration of which good offices, annuities of one hundred pounds were to be purchased of sir F. Burdett, for the benefit of his daughters and their mother.

After denying the various charges contained in the bill, the defendant, J. H. Tooke, concluded by asserting that he did not know how to strike a balance of favours between persons living in the habits of confidential friendship, and could not but consider the complainant much more indebted to him than he was to the complainant, without bringing into account the injury done by the false and scandalous suggestions

On the death of Mr. William Tooke, the subject of this memoir appears to have been the only

of the bill.—The answer of sir F. Burdett stated, that the defendant Tooke having paid a note for four thousand pounds to his account, he had granted him an annuity of four hundred pounds for his life, for sixteen hundred pounds, and that the residue remained in his hands upon bond. The defendant Burdett admitted the letters, and the fact of his not coming to any explanation with the complainant, as alledged in the bill, but denied that the payment of the note to his account was fraudulent.

The answer of the other defendants stated, that the note had been paid into their house to the credit of sir Francis; that they were strangers to the several matters contained in the bill, and that they were ready to act with regard to the note as the court should direct.

After pleadings on both sides were heard, the lord chancellor, (Eldon,) in delivering his opinion, said that he had heard with regret a proposition from one of the parties to make oath of the truth of his allegations; to have had such opposite statements verified by oath would have scandalized the records of the court, for the bill and answers were wholly inconsistent with each other; one or the other was evidently false. Adverting to the agreements made use of respecting the division of William Tooke's property, his lordship considered them not only as extremely indecent, but fraudulent towards the testator, and tending to consequences highly criminal. Supposing the note to have been a voluntary gift, it was clear it was given for a special purpose, and was, consequently, not applicable to any other; and, therefore, if the note in the hands of J. H. Tooke was chargeable with a trust to the amount of three thousand six hundred and sixty-six pounds, it could only be recovered for the benefit of the *Cestui que Trust*. It was not in his power to grant an injunc-

remaining member of the *old English school* of politicians. Most, if not all his early friends, had now left the stage, and he himself was surrounded by new men, some of whom were young enough to be his grandchildren. I seize this opportunity, therefore, of giving a brief account of the former, after the manner of a

tion in an action for the recovery of a note, merely because the transaction which led to the granting of it was an unusual one. If a man, from motives of folly or friendship, thought proper to subscribe his name to a note, he was bound in law, as well as in equity, to discharge it; but it did not strike him that the note in question was clogged with a trust for the benefit of three ladies, for whom it had been in contemplation to purchase annuities. Upon the whole of the case, his lordship said, it appeared to him, that in this stage of the business, it would not be proper to permit sir Francis Burdett to obtain, by the prosecution of a suit at law, the possession of this money. It was not his intention to decide now, whether the complainant ought ultimately to pay it, or whether either of the defendants were entitled to receive it. He was bound to take it for granted that the note was given with a view to its appropriation to some object; and therefore it was proper that the money should be so secured, that the court might have it in its power to direct its application for the benefit of those for whom it was intended. His lordship terminated a very long and elaborate review of this important cause, by ordering that an injunction should be issued to restrain the action brought by sir Francis for recovery of the four thousand pounds. And he further directed, that the complainant should, within two months' time, bring into court the whole of that sum; and in default of his so doing, that the defendant, sir Francis, should be at liberty to proceed against the bail.

catalogue raisonné, chiefly from hints collected from himself.

I. MR. BECKFORD.

William Beckford, an alderman, and twice lord mayor of London, was a West Indian, having been born in the island of Jamaica, where, partly by inheritance, and partly by purchase, he at length acquired an immense property. Soon after his arrival in England, he was sent to Westminster school, and appears to have been a contemporary with lord Mansfield.

Having aspired to the city honours early in life, he lived long enough to obtain the whole of them in succession, and by the splendid manner in which his entertainments, while sheriff and chief magistrate, were conducted, he conferred no small degree of credit on the corporation. Both as lord mayor and representative of the metropolis, he appears to have acquired great popularity, by his steady support of the first Mr. Pitt's administration, as well as by joining in the outcry against subsidizing foreigners to fight their own battles, and he continued to retain the affections of the livery of London during the whole of a long life.

Mr. Horne's acquaintance with Mr. Beckford commenced at an early period, and they lived

for many years in great intimacy together, *idem sentire de republica*, being on that, as on most similar occasions, a bond of union between two liberal and ingenuous minds. The alderman was a man of plain, solid understanding, but was not accomplished; he, however, possessed good sense enough to recur to the readier talents of his friend, on several trying occasions. He died during his second mayoralty, in 1770, at the age of sixty-five, and the grateful citizens have erected a statue to his honour, on the base of which is inscribed the celebrated reply composed by Mr. Horne.

MR. SERJEANT GLYNN, M. P.

This gentleman, who was an able and celebrated lawyer, lived in great friendship with Mr. Horne, and was indebted to him for being chosen one of the knights of the shire for Middlesex, without the expenditure of a single shilling. He was afterwards, on account of his upright conduct, elected recorder of the city of London, and thus sat in parliament for the first county, while he acted as the judge and legal adviser of the first city in the empire, until his death.

During the disputes between Mr. Horne and Mr. Wilkes, he bore testimony to the unjust accusations adduced against his friend, by means of the following letter: —

"*January* 16, 1771.

"The charge against the rev. Mr. Horne, as "far as it respects my election, is false and "groundless: with regard to the other charges, "my experience of the integrity and disinterest-"edness of Mr. Horne entitles him to my testi-"mony, if his general character had not made it "totally unnecessary.

"C. GLYNN."

From this moment, Mr. Wilkes became his decided enemy, and he accused him, more than once, of having not only betrayed the public cause, but falsified his own opinions, on the subject of press-warrants.

No man of his time understood constitutional law better than the serjeant, and the county of Middlesex never possessed a more distinguished representative. He was succeeded by Mr. Byng, the father of the present knight of the shire, who, in point of integrity, in no degree degenerated from his predecessor; and in the recordership, by the Mr. serjeant Adair, who, like himself, was accounted rather a good lawyer than a great orator.

3. MR. ALDERMAN CROSBY

was older than Mr. Horne, having been born in one of the northern counties, in 1725. Origi-

nally bred to the law, he practised for many years with success, as an attorney in the city, and, in the autumn of 1770, became lord mayor. So strong was the conviction on his mind, that the house of commons had exceeded their authority, in the case of the printers, who were citizens, and as such entitled to his protection, that he submitted with resignation to an imprisonment of several months, while lord mayor, on their account. And his conduct on that occasion not only ensured their safety, while it endangered his own, but obtained for him a vote of thanks from the corporation.

At the close of the session of parliament, on the 23d of July, 1771, the speaker's warrant being no longer of any effect, he was liberated from the Tower, and conducted to the Mansion House with great triumph. On the expiration of his mayoralty, the citizens voted him a magnificent silver cup, as a token of esteem.

So great was the personal intrepidity of this magistrate, the first who had ever dared to order an officer of the commons of England into custody, for executing a warrant of that house, that he aspired to the sole merit of the act, and appeared anxious that himself alone should be subject to responsibility on this account.

It is not a little remarkable, too, that he was

the first who called in question the right of the crown to execute press-warrants, by a delegation of its power to the lords commissioners of the Admiralty; and he actually refused to grant leave for the impressing of seamen in the city, during his mayoralty, although the doctrine appeared to have been sanctioned by the concurring authorities of such men as Wedderburne, Glynn, and Dunning.

I suspect, that the "Humble Address, Remonstrance, and Petition, of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled," presented by him in 1770, was drawn up, either in whole or in part, by Mr. Horne.

Mr. Brass Crosby, after acquiring an immense fortune, died in 1793.

4. MR. SAWBRIDGE, M. P.

Alderman John Sawbridge, originally educated at Caen, in Normandy, was descended from a family long settled at Ollantighe, in the county of Kent. I have been told, by one of his descendants, that their ancestor had been a director of the South Sea Company, and that a bill of pains and penalties having been brought in against him, and his estates sequestered, the me-

mory of this harsh measure, which amounted to a sentence of proscription, being without countenance from, or appeal to the laws, rendered all his successors adverse to every thing like arbitrary power. This was uniformly evinced by the writings of Mrs. Macaulay Graham, as well as by the conduct of her brother alderman Saw bridge.

That gentleman served the office of sheriff, in 1768, and returned Mr. Wilkes, five successive times, knight of the shire, for the county of Middlesex, in defiance of a resolution of the house of commons; but he declined to act in the case of the printers.

I am assured, from good authority, that he sold an estate for the express purpose of supporting the patriot just alluded to, who, in his turn, when he stood as a candidate for the representation of the city of London, actually refused him his vote! Notwithstanding this, he was more than once elected one of its four members; and for a long series of years made an annual motion for the repeal of the Septennial Act, in order to restore triennial parliaments, as established at the revolution and continued through a considerable portion of the reign of George I. He died in 1794, after long languishing on a bed of sickness. His son, co-

lonel Sawbridge, lately represented the city of Canterbury in parliament.

5. MR. ALDERMAN TOWNSHEND,

originally educated at an English university, obtained a considerable fortune with his wife*, who was of foreign extraction by the mother's side, and by the friendship of the first marquis of Lansdowne, was brought into parliament early in life. In the dispute which took place at the Society of the Bill of Rights, he adhered to Mr. Horne, although his abandonment of Mr. Wilkes could not fail to render him unpopular.

It was the opinion of this gentleman, that, in a country like England, nothing can be effected but by combinations of powerful individuals. In consequence of this, although he always professed his belief, that the house of commons possessed no original jurisdiction, except over it own members, or those persons at-

* This lady, by whom he got Bruce Castle and a large estate, was the daughter of a former lord Coleraine, who left a considerable fortune to her. But, as both she and her mother were foreigners, having been born in Italy, she could not obtain possession, on account of the legal objections raised by lord Coleraine's executors. At length, however, the first lord Holland obtained the grant from the crown, to which it had escheated, with a reservation, however, of twenty thousand pounds to the heirs at law.

tendant on it; yet he declined to support the printers as a city magistrate, the moment that the Shelburne and Rockingham parties withdrew their protection. For this he was publicly blamed by Mr. Morris, while Mr. Wilkes seized that opportunity to boast, "that he would do his duty, without waiting for the protection of any great man!"

Mr. Townshend lived for many years in great intimacy with Mr. Horne, who dedicated his sermon to him. He is said to have formed the plan of a police bill, for the guardianship of the two cities of London and Westminster, the leading feature of which was, that instead of the business being effected by a salaried magistracy, nominated by the crown, these were to be elected by the inhabitant householders.

This gentleman died early in life, leaving behind him a high character for talents, honour, and ability.

6. MR. OLIVER, M. P.

Richard Oliver succeeded Mr. Beckford as an alderman of, and M. P. for the city of London. In conjunction with Mr. W. Tooke, he purchased an estate in the West Indies, which turned out a very profitable speculation; and, having resigned his gown in 1784, repaired to

America, where he died two or three years afterwards.

This gentleman distinguished himself greatly, by his spirited conduct in the case of the printers, for which he was committed to the Tower. Mr. Horne, I think, told me, that he had been originally bred an attorney; that he was a bold and intrepid magistrate, and that no one ever discharged his public duties with more uprightness.

A portrait of the alderman was placed in the drawing room at Wimbledon.

7. MR. ROBERT MORRIS.

This gentleman was a barrister of Lincoln's Inn, and, on the institution of the "Society for supporting the Bill of Rights," became honorary secretary.

When the printers were discharged by the city magistrates, Mr. Morris appeared gratuitously as counsel for Mr. Millar, the publisher of the London Evening Post, and took an active part in the whole of that business. He afterwards, at a public meeting, condemned the royal proclamation issued on that occasion, as illegal, and at the same time loudly protested against commitments by the house of commons, as a gross usurpation.

On the trial of Mr. Woodfall, this gentleman made an affidavit, (June 30, 1770;) in which he declared, that, in his opinion, the letter from Junius to the king *was not a libel.* This called forth the animadversions of Mr. justice Aston, who observed from the bench, "that he was astonished there should be a single man in the kingdom, who did not consider it as calculated to vilify a most gracious and virtuous king, to alienate the minds of the people from their sovereign, and to excite insurrection and rebellion; and as to the affidavit of that man," he added, "who had, though but in a parenthesis, put into it, that he did not think the letter signed Junius to be a libel, he should for his part, pay very little attention to any affidavit he should make."

Mr. Morris replied by means of a pamphlet, in which, after animadverting on the indelicate conduct of a judge so anxious to vindicate the characters of great men; he expressed his astonishment, "that, while condemning a libeller, he should, in the same breath, subject himself to a similar imputation."

This gentleman became for a short time the husband of miss Harford, daughter of lord Baltimore, but that lady having left him soon after, the marriage contract was declared illegal.

During the paper war between Mr. Horne and Mr. Wilkes, this gentleman, when appealed to by the latter, publicly decided in behalf of the veracity of the former.

8. DR. WARNER.

This gentleman, after the usual course of studies, at one of our universities, entered into holy orders, and became a popular preacher at Tavistock Chapel. He afterwards repaired to France, in the suite of the marquis of Stafford, then our minister at the court of Versailles, and being present at the commencement of the revolution, is said to have extinguished all hopes of future preferment, by a discourse delivered in the ambassadorial chapel. Soon after this, he visited Italy, and died a short time after his arrival in England, leaving a handsome fortune to a young gentleman nearly related to him.

I have been told that he was a very old friend of Mr. Tooke's, who always spoke of him with great respect. Either a print or drawing of him was hung up in one of the parlours, and he appeared to have been a great favourite.

When Mr. Tooke advertised his philological work, he transmitted him a very handsome sum of money by way of subscription, and at his death left him a large silver cup.

The following letter, written about this period, will convey some idea of Mr. Tooke's attention to his servants when in ill health. It was addressed to his physician, Dr. Pearson.

"*Wimbledon, February* 8, 1803.

"MY DEAR DOCTOR,

"It would be foolish in me to tell you that I "am obliged to you. You know that I am, "and that I feel it strongly. I send you my "poor servant. If she can be cured, you will "cure her. If it should be too tedious to per- "mit her continuance in the hospital long "enough for that purpose; I will, whenever "you give me notice, take lodgings for her in "the neighbourhood.

"The cold weather will, I fear, confine me "some weeks longer to my house; but I shall "take the earliest opportunity to wait upon you.

"Your affectionate

"Friend and servant,

"JOHN HORNE TOOKE."

This letter affords a fair opportunity to state, that, to his servants and dependants, Mr. Tooke was liberal in no common degree. He never permitted their *followers*, indeed, to enter within his gates; but, on the other hand, he would

occasionally present his domestics with money to go to the play; provide a physician and apothecary, when sick; and attend to their interests, when in health, with a truly paternal concern. To *John*, his head gardener, he gave fifty-two guineas a year, in addition to his board and lodging. When a young man, he permitted him to go once a week to visit his wife at Brentford; but, as he grew *old*, he diminished this indulgence, and would only allow him to repair thither once a fortnight. To coachmen, postillions, and watermen, he was very generous, when they conducted themselves with propriety, generally doubling the amount of their claims, and always terming the surplus "civility money." On the other hand, no one ever resisted impositions, whether great or trifling, with more firmness than himself; and indeed, he always considered this as a duty due to society from an individual.

CHAPTER VI.

FROM 1803 TO 1804.

A Description of the Entertainments of Wimbledon—An Account of some of the Company.

AT this period the health of Mr. Tooke seemed to improve, and not content, therefore, with occasionally amusing himself in his garden, he now resumed his studies with additional energy. Many of his old companions frequently visited him during the week, while on Sunday his table was generally thronged with guests.

This may be the proper place, perhaps, to mention some particulars relative to the company and entertainments at Wimbledon. The philologist never appears to have deemed himself independent, until after his trial at the Old Bailey, when, his talents and his innocence becoming alike conspicuous, all his friends were eager to administer to his wants, and rescue him

from unmerited poverty and distress. Indeed, it may be fairly said of Mr. Tooke, on this occasion, what James I. observed of lord Coke, "That he made the best of a disgrace, and when he fell, it was like a cat — always on his feet!"

MR. TOOKE'S COMPANY.

Whenever Mr. Tooke wished to have a select party, he usually allotted some day about the middle of the week for this purpose, carefully *excepting* Sunday, and, at the same time, specifying his reason. On that festival — (for so it might well be termed at Wimbledon!) — the cook was put *in requisition*, and all the servants were seen with busy faces. So early as eleven in the morning, some of the guests might be descried crossing the green in a diagonal direction, while others took a more circuitous route along the great road, by turning at right angles in the village, and completing the two sides of the parallelogram, with a view of calling at the mansion, formerly occupied by the duke of Newcastle, while prime minister; but then, as now, the residence of sir Francis Burdett. About three, several gentlemen on foot, and on horseback, and in carriages, were seen crossing Putney Bridge, and scaling the ascent leading to the common. For many years a coach and

four, with Mr. Bosville and two or three friends, punctually arrived within a few minutes of two o'clock; and, after paying their respects in the parlour, walked about an hour in the fine gardens, with which the house was, all but on one side, surrounded. At four, the dinner was usually served, in the parlour looking on the common; and JOHN having, with a smiling "holiday face," announced the glad tidings, the company passed through the hall, the chairs of which were crowded with great coats, hats, &c., and took their seats without any ceremony, each usually placing himself in his proper situation. But the courteous host — and no man could, when he pleased, display more courtesy — generally stationed strangers, or men conspicuous for either rank or talents, near to himself, and was particularly attentive to them, both during and after the repast.

The dinner, uniformly consisting of both white and brown meats, was always excellent, because it was always substantial. To such as had *walked*, and found their appetites sharpened by the keen and healthy air of the heath, it proved both refreshing and invigorating in no common degree. At the top, was to be found fish of the best kind and most delicate flavour — turbot, large soles, or cod, each in its respective

season, and all accompanied with their appropriate sauces. This was generally followed by a fillet of veal. In the centre, was usually to be seen a tureen of soup, and, at the bottom, either a round of beef, or a sirloin. As side dishes, were to be found the produce of the garden, in great variety, and the highest possible degree of perfection; while pies and puddings, both excellent in respect to composition and flavour, were afterwards introduced. The host's colloquial powers were at this period called forth into action; and, indeed, although he possessed an excellent appetite, and partook freely of almost every thing before him, yet he found ample time for his "gibes and jokes," which seemed to act as so many *corroborants;* at once strengthening and improving the appetites of his guests.

After the cloth had been removed, wines of several sorts, but generally Madeira, sherry, and port, were introduced. These were accompanied by a desert, consisting entirely of our native fruits; all of which were cultivated by him with great skill, and attained a high flavour and perfection under his auspices. In the summer, his table was abundantly supplied with Alpine strawberries, Antwerp raspberries, and Dutch currants; for he was careful in his choice of plants, and anxious to obtain them from those

places where they had reached their greatest possible perfection. Although no glass was employed, yet his lofty walls, facing the south-west, presented him with plenty of grapes during the autumn. Apples and pears, the charmæntel, jargonel, the chrisan, brown bury, &c. succeeded in rotation; and these were so well preserved, that, in the spring of the year in which he died, some of the best fruits were to be found in April, at his house, in great plenty and perfection, although they had long before disappeared almost every where else.

To the country gentleman, who was unable to discriminate, this convocation resembled a little court accustomed to pay an hebdomadal visit to a sovereign prince; but there was this difference, that all the attentions proceeded from the head of the table; for, while few chose to *argue* with, no one I ever yet met with, possessed hardihood sufficient to *flatter* the personage who presided in all the majesty of superior talents. The mere man of business, accustomed to the daily *routine* of common affairs, was astonished and even dazzled at the titles of some, and the wealth of many of the guests; while the man of the world, after eyeing the groupe before him, could not always refrain from making some sarcastic remark on the *motley* assemblage. The sneer

would have been inexcusable, had the motives been fully known and fairly appreciated; but indeed it might have excited the smile of any one to have beheld officers both of the horse and foot-guards crowding the table of that "hoary traitor," who had been often their prisoner, and whom they had so repeatedly conducted "with all the pomp and circumstance of glorious war," to Newgate, the Old Bailey, and the Tower. Here, at times, were to be seen men of rank and mechanics, sitting in social converse; persons of ample fortune, and those completely ruined by the prosecutions of the attorney general. On one side was to be descried, perhaps, the learned professor of an university, replete with Greek and Latin, and panting to display his *learned lore*, indignant at being obliged to chatter with his neighbour, a member of the common council, about city politics. Next to these would sit a man of letters and a banker, between whom it was difficult to settle the precise *agio* of conversation, the one being full of the present state of the money market, and the other bursting to display his knowledge of all books — except those of *account* alone! A little further off, a baronet and a barrister could be heard discussing contested cases, both in the law and the constitution; the *suspected* atheist

might be here seen, in amicable converse with a clergyman of acknowledged orthodoxy; while the trinitarian and unitarian, leaving difficult points to be settled by the controversies of former times, no longer argued with either the fierceness or intolerance of polemics. Whenever a serious dispute occurred, or a dubious fact was started, an appeal was immediately made to the president, whose judgment, when serious, was always authoritative, and generally final. But he generally forbore to offend either party by a peremptory decision, unless when it was intimately connected with some great point in law, religion, or the constitution; he was frequently accustomed to get rid of the argument by means of a joke; and was generally so happy in this species of appeal, as to elucidate the question and set the table in a *roar*, by the same flash of merriment.

It may be here necessary to point out the precise cause of the *mixed* society that appeared on Sundays at Mr. Tooke's very friendly and hospitable board. In the first place, having twice appeared as a candidate to represent the seat of government in parliament, he still considered himself as in some measure connected with the city of Westminster; while, on the other hand, he was visited by several of

the inhabitants of London, whose fathers had supported him and his cause during the days of "Wilkes and Liberty." At a latter period of his life, those attached to sir Francis Burdett, whatever their rank or condition in life might be, were received with open arms. Finally, all those who had been tried with him, were sure to obtain a friendly welcome; and I well recollect an occurrence, which shall be mentioned hereafter, as it made a deep and lasting impression on my mind.—

The real truth, perhaps, is, that Mr. Tooke did not decline to be surrounded by a circle, who appreciated his sufferings and estimated his talents. Like Cato, at Utica, he might be flattered with the faint image of a senate, composed of his friends, adherents, and dependents. Let it be recollected, also, that Mr. Tooke was connected with many of his guests in the double capacity of a patron and a client; for, to several of these, he was accustomed to give legal advice, and, from many, he himself had received assistance in a variety of ways. Even the poorest and the lowest were endeared to him, either by their sufferings or their services. The fact is, that Mr. Tooke was friendly, kind, and beneficent; and, although no one could be more *peremptory or decisive,* when the occasion required, yet he

would not hurt the feelings of the meanest man of his acquaintance, by turning him away from his door on a Sunday, to trudge back six long miles, exposed to a broiling sun in summer, or the snow and sleet of winter, to search for a dinner in town.

Nor ought it to be omitted here, that, on particular occasions, the patriot of Wimbledon was accustomed to specify a certain day in the week for the entertainment of select guests. Many men of rank, character, and fortune, were desirous to mingle in his society. Some contemplated him as the martyr of a good cause; others, wholly indifferent to his politics, merely viewed him as an oppressed individual: all beheld in him a man richly gifted by nature, and amply endowed with whatever learning could furnish. Neither pragmatical nor austere, he could be gallant, courtly, and accommodating to females; and many distinguished ladies were accustomed to express their surprise at the fascination of his manners and conversation.

At the same board, already described, but on a different day, have sat countesses and women of quality; two lords of parliament, one of whom *, illustrious for his talents, and memorable for his

* Lord Thurlow.

attachment on a trying and critical occasion to his sovereign, had presided with great dignity on the woolsack. The other †, who, to a mind tinctured with science, added qualities of a very opposite tendency, closed a life full of adventures by an ominous and unhappy death. An hereditary judge by birth, he is supposed, by means of his borough of Old Sarum, to have created occasional legislators with the same ease that chivalrous knights were dubbed of old by the swords of kings; and, when he made his *apotheosis*, his mantle, which was snatched up by a modern Elisha, wonderful to relate! enabled the fortunate possessor to extend his dominion, for a series of years, over a large portion of Africa, and rule nations of various complexions and discordant interests — English, Dutch, and Hottentots — by means of his delegated sceptre.

His Sunday parties were not unfrequently enlivened by the introduction of extraordinary men, or the intervention of interesting anecdotes. One day, just as dinner was ready, and when all the company were already convoked in the drawing room, the name of Mr. Baxter was announced, who, on account of his being a stranger,

* Lord Camelford.

could not obtain admittance further than the hall. The host, with his usual courtesy, ordered that he should be conducted into the apartment, in which the guests were then sitting, declaring, at the same time, that he believed there must be some mistake, as he was unacquainted with any one who bore this name. On his entrance, the stranger observed, "that he was one of those who had the honour of being tried along with Mr. Tooke, and that he had now taken the liberty to repair to Wimbledon, to pay his respects in person.

"Ah, my good sir! I recollect you well!" exclaims the "hoary traitor," "and gentlemen," adds he, turning at the same time to the company, "permit me to introduce a brother sufferer to you; he is a little fellow, whom I never saw but once before; but he is at the same time a hero: for while we were in the *bail dock*, about to be arraigned, and as yet uncertain of our fate, he stepped forward to me, and exclaimed: 'Mr. Tooke, our lives have hitherto been but of little service to our country; let us then behave like men, and see, if by dying bravely, we cannot prove of some service to the commonwealth.'" A *buzz* of approbation immediately circulated around, and this gentleman, who I understand

is an engraver, was kept to dinner, and treated with the utmost hospitality.

While every thing in season, and always the best of its kind, appeared at Mr. Tooke's frequent and plenteous entertainments, not a single article of silver was to be seen on the sideboard, at the dinner, or even at the tea-table. The repast was always served in earthenware or china; but the spoons, &c. were of pewter. This originated in an accident. The house at Wimbledon was broken into a few years since, and it is not a little remarkable that the thieves, instead of forcing a door or window, as is usual on similar occasions, actually entered through the roof. During this very singular and unexpected visit, they packed up and actually got clear off with the greater part of the plate; and it so happened, notwithstanding the most diligent search, that the various articles thus lost were never afterwards discovered, or the robbers detected.

On the very next morning, Mr. Tooke being of opinion, that "bees followed the honey," repaired to London with all the silver that remained, which he carefully deposited at his banker's; and as a fine tankard had escaped the plunder, it was immediately transferred to one

of lady Oxford's brothers, who had been promised the reversion of it. From that day, no article of silver was kept at or seen in his house; and this circumstance gave rise to a very ludicrous occurrence. A lady, of title and fashion, in the neighbourhood, being about to give a great entertainment, and hearing much of Mr. Tooke's dinners, sent a civil note to him, requesting the loan of his plate for a single day; observing, at the same time, that, depending on his politeness, she had sent her butler and a couple of footmen on purpose to fetch it. They accordingly entered the hall with great ceremony, bringing trays, &c. along with them, for the more easy conveyance of their charge. After the most solemn promises on their part, to be careful of his property, and return it as soon as possible, a green cloth was confided to their charge, which they were to carry home without disturbing the contents; and, on its being opened carefully, in their lady's presence, as had been desired, the whole consisted of a few dozen of spoons, which did not contain a single ounce of the precious metals!

Such was the reputation attached to Mr. Tooke's dinner parties, at this period, that several eagerly solicited the honour of his acquaintance, and no one, perhaps, ever departed

from his house ungratified, when properly introduced to him! All whom I have ever conversed with, agree as to the fascinations of his society, the pleasures of his table, and the gratification arising from the converse of his convivial hours. I seize this opportunity to transcribe a note from him, written after his own peculiar manner: it is addressed in reply to a member of parliament, who wished to introduce Mr. Throgmorton, a brother of the baronet of that name, at Wimbledon.

"TO ROBERT KNIGHT, ESQ. M.P.

"GROSVENOR SQUARE, LONDON.

"MY DEAR SIR,

"You retain your old custom of conferring "favours as if you were receiving them. It is "impossible not to be

"Your faithful servant,

"J. HORNE TOOKE."

"*Wimbledon, July* 8, 1803."

I shall conclude this chapter, by giving a short account of such of Mr. Tooke's friends and acquaintance, towards the latter part of his life, as have not been already noticed, and I have arranged

them, as before, somewhat after the manner of a *catalogue raisonné*. As it is my intention, most scrupulously to avoid every thing either indelicate or offensive, I trust that I shall not give umbrage to any one gentleman on the present occasion.

1. LORD ERSKINE.

This nobleman, who resembles the Roman orator Hortensius in many points of view, like him, was both a soldier and a lawyer. "Eratin verborum splendore elegans, compositione aptus, facultate copiosus: nec prætermittebat fere quicquam quod erat in causa — vox canora et suavis." He made a voluntary proffer of his professional services, I believe, to Mr. Tooke, who, at the conclusion of his trial, gave a public testimony of his approbation in open court; and at the private dinner given yearly on the anniversary of the acquittal, even after he had become lord chancellor, this nobleman was accustomed to attend as usual.

While Mr. Erskine, he used sometimes to visit at Wimbledon, and, one day, as he was talking in the garden with the company, exhibited an instance of his agility, by springing over the *ha ha*, to talk with Mr. Pitt and some of the ministers, who happened to be walking in

the adjoining grounds of Mr. Dundas, afterwards lord Melville.

His good offices, as a barrister, were always remembered with equal gratitude and respect; nor did his able coadjutor, sir Vicary Gibbs, escape from the grateful recollection of his client.

2. SIR FRANCIS BURDETT, BART.

first became acquainted with Mr. Tooke in 1797, by means of colonel Maxwell and Mr. Ferguson.

Towards this gentleman the politician of Wimbledon always exhibited a marked regard, an unvarying attention, and the most tender solicitude. He was zealous for his welfare, and seemed to participate in his growing fame and popularity. If report be true, soon after their first acquaintance, he endeavoured to form his mind to public business, and acted the same part by him, that Socrates had done by Alcibiades.

The subject of this memoir seemed to cherish for him, indeed, all the affection of a fond father for a darling son; and is said to have been occasionally as jealous of his regard as if he had actually been a beloved mistress. He was afraid, of all things, lest he should get into the hands

of the whigs; and when he heard, on the first contest for Middlesex, that the late duke of Bedford had subscribed a thousand pounds towards the expenses of the election, and had gone down to Brentford, Mr. Tooke immediately set off for the hustings, in express opposition to his original intentions.

That it was his aim to render sir Francis serviceable to the commonwealth, and that his views respecting him were pure and disinterested, will be readily believed by such only as have shared his confidence, studied his character, or were acquainted with his ruling passion. Whatever may be the event, his good intentions can never be called in question by his friends; and I have always thought, that the celebrated epistle from Plutarch to his disciple Trajan, might, with a very trifling alteration, be deemed appropriate in this place:

"If you make honour and patriotism the rules of your conduct, and the end of your actions, every thing will proceed in harmony and order. I have explained to you the spirit of those laws and that constitution, that were established by our ancestors, and you have nothing to do, but endeavour to carry them into execution.

"Should this be the case, I shall possess the

glory of having formed a statesman to virtue; but, if otherwise, let this letter testify that you did not endanger the empire, under pretence of my counsels or authority."

Sir Francis was in the constant habit of repairing to Mr. Tooke's during many years, and their daily intercourse was not a little facilitated by the proximity of their houses, which happened to be only a few hundred yards distant from each other. At the Sunday dinners, he was generally placed on the right hand of his host; and on other occasions, took his seat any where, without ceremony. He always appeared to me, to be modest, unassuming, and rather taciturn. As to his political tenets, I shall not say any thing, either in commendation or dispraise, the public being already in full possession of his opinions, on all the great topics that have lately occurred.

3. MR. BOSVILLE.

This gentleman is descended from a soldier of fortune, who repaired to this country with William I; and most certainly carved out for himself a very comfortable provision in the northern parts of the island, as his own share in the general distribution. Several of the same name and family are settled in Normandy

at this day, and the appellation itself is obviously a *nomme de terre*, implying the possession of a village, surrounded by woods.

During the civil wars, the English branch were *commonwealth men*, and, of course, took part with the long parliament against the king. One of them commanded a regiment, and, when praying came into fashion among the troops, like sir Harry Vane, he resolved to pray too. Perceiving that the puritanical ministers began to possess great influence, he at length became a candidate for that office, and, prevailing on his own battalion to elect him, he from that moment governed and taught his men, in the double capacity of colonel and chaplain.

Mr. Bosville, after leaving Harrow, early in life obtained a commission in the Guards *, and, on his regiment being ordered to America, embarked and served with it during that war, which ended in the independence of the colonies. On his return, he repaired to France and Italy; and afterwards accompanied his friend, colonel Hawke, son of admiral lord Hawke, on a short visit to the coast of Africa. While travelling in the dominions of the emperor of Morocco, they fell in with an English *renegado*, to whom the colonel observed, "that if he

* In 1760.

would tell him the arguments which had induced him to turn Mahomedan, he would follow his example, provided they were good and convincing." To this, the other frankly replied, "I cannot assign my reasons, but the truth is, I am not a Christian!" To another he said, "if your emperor were to leave off frying in oil, and impaling alive, this would be a fine country to live in!" "A Moor-man," rejoined the other, "does not dread the rope like an European, and if his majesty were to leave off frying in oil, and impaling alive, neither I nor any honest man would choose to live here!"

If I mistake not, (for I write from memory,) these two gentlemen joined in the suite of an English embassy which was sent to compliment the emperor on his accession to the throne. The dragoman, on reading the letter of congratulation to this *dread sovereign*, made a pause of about three minutes at the end of every sentence, during which his imperial majesty repeated a few words in a solemn tone of voice; and he had no sooner ended, than the gentlemen of the embassy, following the example of the interpreter, made a low bow and returned thanks.

A midshipman, who had accompanied the mission from Gibraltar, and was then present, began to entertain some suspicions of the nature

of the seeming compliment, on the part of this august personage, and having a good memory, and being an excellent mimic, determined, a few days after, to try its effect on a boat's crew of Moors. But he had no sooner carried his resolution into effect, than they immediately drew their daggers, and would have killed him on the spot, had he not been rescued from their fury. On an explanation taking place, it was discovered that the identical expressions for which the gentlemen of the embassy had returned thanks by the most respectful obeisance, when duly translated into English, was strictly tantamount to the following salutation, which is the most execrable, that can either be uttered or received on the part of a Mahómedan, *viz.* "You are all swine!"

Mr. Bosville, I understand, never attained a higher rank than that of a lieutenant in the Guards, which is equal to a captain in the line; but the courtesy of the public has of late years assigned to him the *brevet* of a colonel, by which appellation he is more generally designated, even by his friends, than any other.

He was accustomed to dine with Mr. Tooke every Sunday, during the spring and autumn, for a great number of years, and was always mentioned by the latter in the highest terms of

esteem and regard*. His manners are gentle, his conduct uniformly polite, and his natural disposition appears to be at once generous and obliging.

I understand this gentleman, while in town, keeps open table for his friends, whom he treats with the utmost liberality. I trust I may be permitted to praise those dinners in which I have never participated, and to commend the bounty of that man, with whom I am totally unconnected either by friendship or politics. I have indulged thus far, merely because a French emigrant lately abused him in print, on account of his supposed disloyalty, while an English writer has asserted "that his very slumbers are disturbed with treasons." Instead of punishing such libels, he contents himself with exclaiming: "I hope these gentlemen are in good credit with their printers, for the world will think me of no consequence the moment they leave off abusing me!"

Part of a letter has been lately transmitted to

* "Bosville and I have entered into a strict engagement to belong for ever to the established government, to the established church, and to the established language of our country: because they are established. Establish what you please: DO but establish; and whilst that establishment shall last, we shall be perfectly convinced of its propriety."—*Diversions of Purley*, part ii, p. 490.

me, written by Mr. Tooke, and addressed to Mr. Bosville, the remainder of which cannot now be found. I insert it in this place, because it evinces the high regard entertained by the subject of this memoir for the gentleman in question.

" DEAR BOSVILLE,

"I have had all my life, and still have at the end " of it, many very dear, deserving, and now " long continued friends; amongst whom, no " one has shown me more important and un- " earned affection and friendship than yourself, " or has a better title to a disclosure from me, " on every subject, of what I know, which is " fit for me to tell.

" Yes. I have seen the ridiculous and in- " famous paper to which you allude, I will tell " you ALL that I KNOW concerning it; a PART " of what I have HEARD; and a PART of what " I believe and THINK.

" It is very disagreeable and difficult to re- " count plainly a statement of long past parti- " culars, which, at the time of their passing, were " apparently trifling and indifferent. However, " I must try.

" In the year 1798, I caused to be printed " the second volume of the Diversions of Purley,

" and, during that time, I attended almost every " day at the printers, to correct the press; and " there, upon his own affairs, I usually met " my friend Mr. William ———, whom, at that " time, I much esteemed.

" Sir ——— was at this time with his fa- " mily at some distant watering place; and " knowing that I went every day to town, he " desired me, in one of his letters, to speak to " Mr. ——— to transfer, either to Mr. Coutts " or to me, the money which Mr. ——— had, by " sir ———'s direction placed in the American " funds. I met . . . . ."

To this letter no date is affixed; it appears to have been torn out of a book, and was never, as I have reason to think, conveyed according to its intended address. Notwithstanding the subject alluded to in the latter part of it has engaged the public attention, and has even been agitated in a court of justice, I have omitted the names, and would have suppressed the whole, had it contained any thing that could have wounded either the feelings or the honour of any of the parties alluded to.

4. MR. PORSON

is well known as professor of Greek at the university of Cambridge, and editor of several learned works, to which he added many elaborate notes and emendations. I have witnessed both the acumen of this gentleman's remarks, and the wonderful felicity of his memory, with astonishment. On observing to him, one evening, after he began to *open upon us*, that he had been wonderfully shy before and during dinner, he archly replied, "that Addison had never been himself, until after the second bottle."

I was told by Mr. Tooke, that he one day called on him at Wimbledon, and was detained to dinner. Some expressions of a disagreeable nature are said to have occurred at table, and the professor, at last, actually threatened both to *kick* and to *cuff* his host. On this the philologist, after exhibiting his own brawny chest, sinewy arms, and muscular legs, to the best possible advantage, endeavoured to evince the prudence of deciding the question as to strength, by recurring to a different species of combat. Accordingly, setting aside the port and sherry, then before them, he ordered a couple of quarts of brandy; and, by the time the second bottle was half emptied, the Greek fell vanquished under

the table. On this, the victor, at this new species of *Olympic game*, taking hold of his antagonist's limbs in succession, exclaimed: "This is the foot that was to have kicked, and the hand that was to have cuffed me!" and then drinking one glass more, to the speedy recovery of his prostrate adversary, ordered, "that great care should be taken of Mr. professor Porson;" after which he withdrew to the adjacent apartment, in which tea and coffee had been prepared, with the same seeming calmness as if nothing had occurred.

I should not have mentioned this scene, but that it is well known to all Mr. Tooke's friends, and almost to every one, who ever visited at Wimbledon. I have forborne to enumerate the particulars, as narrated to me by two gentlemen, who happened to be present, for I consider the whole scene as indecorous, and unworthy of two of the most accomplished scholars of this or any other age.

5. GILBERT WAKEFIELD,

who, according to the testimony of Dr. Parr, "united the simplicity of a child with the fortitude of a martyr," is mentioned here as an intended cooperator with the author of "the Diversions of Purley," in a great philological work, the produce of their joint labours. But death

suddenly snatched Mr. Wakefield from the world, about eleven years before Mr. Tooke, and thus prevented a rare union of talents, learning, and research.

6. MR. PAULL

was the second son of a taylor in Perth; he was sent, early in life, as I have been told, to the university of St. Andrew's, whence he repaired to Edinburgh, and was placed with a writer to the signet. The law, perhaps, having nothing congenial in it to his disposition, which seemed gay, lively, and mercurial, at the age of eighteen he repaired to India, on board a ship then commanded by the present admiral sir Home Popham; and proving fortunate in his speculations, was soon enabled to remit sufficient to repay the expenses of his equipment: he also is reported to have settled a small annuity on his mother.

After residing a few years abroad, he revisited the place of his nativity, and conducted himself, while there, with great liberality. In 1802, he repaired once more to the East, settled at Lucknow, as a merchant; and, having established a very extensive traffic, he entered into partnership with a gentleman who is at this present moment a member of the British parliament.

At that period he appears to have attained both opulence and respect; and he himself informed me, at Wimbledon, that, being ambitious to entertain a nobleman, who had repaired to India in search of science, and with whose father (the earl of Montnorris) he had some acquaintance, he sent palanquins and bearers, for lord Valentia, all the way down to Calcutta, and, after entertaining him, during six months, he returned, in his company, by the way of the Ganges, to the seat of government.

Having had some disputes with the governor-general, he repaired to England, chiefly with a view of impeaching his conduct, and being aware of the necessity of a seat in parliament for that purpose, he employed the usual means recurred to by strangers.

This gentleman is said to have become acquainted with sir Francis Burdett, in 1805, at the house of Mr. Cobbett, and, by his means, was introduced to, and at first well received at Wimbledon, where he generally dined every Sunday. He appears to have been *high mettled*, for he had fought no less than three duels; one with a gentleman in India, to wipe away the reproach cast on him relative to his birth.

The ridicule, however, attendant on this circumstance, not only lost him his election for

Westminster, but contributed greatly to his subsequent misfortunes; and he, who had once opposed a treasurer* of the navy with considerable effect, and wanted but a few votes to be returned a representative for the seat of government, at length perished miserably, without a friend to help, or a single gentleman to countenance him.

7. DR. GEDDES

was a Roman Catholic priest, born on the banks of the Spey, educated at the village of Fochabbers, and afterwards sent to France and Italy to complete his studies.

I happened to be present at a dinner party, where Mr. Tooke and Dr. Geddes were both guests, and met, as I believe, for the first time. As they were men of acknowledged erudition, and each fond of argument, it was expected by all that a *battle royal* would ensue, and, indeed, before the cloth had been removed, a few cannon shot fired at each other, from the opposite sides of the table, seemed to serve as a signal for the approaching conflict. Nor were we disappointed, for, in a short time, they both became so eager for action, that, as with great monarchs

* Right hon. Richard B. Sheridan.

in a similar predicament, the original *causa belli* signified but little: a pretext only was wanting. The dispute at length commenced, relative to the origin of government by kings, and, on this occasion, as when the heroes of honour engaged of old, the warfare on the part of inferior combatants was instantly suspended: a death-like silence ensued; it seemed to be the duel between Achilles and Hector.

Mr. Tooke maintained, that princes were originally the *hands* of society, being employed merely to fight for them. Dr. Geddes asserted, that they were the *heads*, and obtained the name from being accustomed to think for them. On this, both parties recurred to definition, and the meaning of the terms *king*, *könig*, *roi*, *re*, *βασιλευς*, were enumerated, examined, and tortured by each, to the elucidation and support of his own opinion.

History was next recurred to. Mr. Tooke inferred, from its unvarying testimony, that, in the early ages of society, kings were selected merely for the purpose of leading their respective tribes to battle; and that this practice uniformly prevailed among the northern nations, as might be learned from the great philosophical historian, to whom we were so much indebted for the description of their manners. Even after the in-

troduction of hereditary succession, that practice, however excellent, was generally set aside, when the king happened to be very young, and consequently unable to become the *hand* of the community, the uncle being in that case preferred, as he was more able to wield the spear and combat for the common interest.

Dr. Geddes, on the contrary, contended, that, as wisdom rather than strength, constituted the essential quality of a sovereign, this was the primitive cause of selection. He, too, referred to Tacitus, and quoted the famous passage,

"Reges ex nobilitate, duces ex virtute sumunt"——

on purpose to show, that kings were selected from the chief families, who were supposed to possess the most knowledge; whereas the leaders in war were chosen from the inferior consideration of *virtus*, valour, or personal bravery. At a latter period, too, when society became more refined, and the whole community did not, as before, engage in war, the king also was the *head*, and not the *hand*, as it is wisdom rather than valour that is required, because command is generally delegated; whereas the first magistrate, who but seldom goes to battle in person, is always required to think for the common interest, and to be the *head* rather than the *hand*.

Here Mr. Tooke interposed, with a view to observe, that the question now raised, related solely to the original meaning of the word *king*, and that it was fair to interpret its signification by going back to the structure of society at an early period, when the office was first instituted; but irrational in the extreme, to recur to the manners and customs of the present age for elucidation, when an entire alteration had taken place in the forms of society; he, however, begged leave to observe, that wisdom, as well as valour, were now both delegated alike; for, if kings did not go out to battle, as formerly, they also ceased to decide in person on disputed property; and that judges and magistrates, of all kinds, who might be said to represent the *head*, were as frequently appointed as generals, who constituted the *hands* of the state.

He then, in a very able manner, recapitulated and examined the reasons which had been urged on both sides, and in a summary, seasoned with wit and good humour, insisted on the truth of his former position.

The doctor, who sometimes proved to the full as irascible as his antagonist was temperate, happily, on this occasion, displayed great good nature, and heartily joined in the hilarity that succeeded. It was a subject, on which to adopt

the pacific language of sir Roger de Coverley, "much might be said on both sides." Most men will be inclined to consider it as a *mixed question;* for, in the earliest times, and among the rudest tribes, both judgment and strength were necessarily required, and an union of both the *head* and *hand* had even then become essentially requisite.

8. MR. PAINE.

This once-celebrated writer, was for some time a frequent guest at Wimbledon; but never a favourite there. Mr. Tooke was accustomed to sneer both at his poetry and prose. Once, in my company, the philologist repeated a distich, replete with the *bathos,* which I am exceedingly sorry to have forgotten, as it had been recited to him by the author, who deemed it his masterpiece.

His principles never accorded with those of Mr. Tooke; for the latter possessed high notions of the aristocracy of learning, and conceived but a low opinion of those whom he was accustomed to denominate "ignorant men; far better calculated to pull down than build up governments!"

I have been told by many, who were present at more than one controversy, that when Paine

presumed to engage with him, it was the combat of a dwarf with a giant.

Mr. Tooke objected to many of the doctrines laid down by that once-famous reformer; and, in 1793, observed in open court, during his trial, "that we had a glorious constitution; and we still have a constitution," added he, "in the books. But some honest and well-meaning men, who know nothing of the constitution in the *books*, and who judge only from the present *practice*, and from what they see, deny that we have any constitution."

9. THE HON. GENERAL MURRAY.

This gentleman was a near relation of the duke of Athol, and kept up an uninterrupted friendship and correspondence with Mr. Tooke during many years. His conduct appears to have been extremely liberal; for, not content with a series of good offices, during his life, he left him a considerable legacy at his decease. The philosopher of Wimbledon always mentioned his name with an uncommon degree of respect.

10. MAJOR JAMES.

This gentleman is the author of a Military Dictionary, one of the first professional and

scientific books* on this subject in our language. He was accustomed to dine frequently at the house of Mr. Tooke, and was one of those invited to his burial.

By having been educated on the continent, he converses in the French language with great fluency, and distinguished himself in early life by his poetical effusions. He was always mentioned with great respect by his host, who considered him as a private friend, totally unconnected by any political relations whatsoever.

11. GENERAL ARABIN.

I never met this gentleman at Wimbledon; but I have been told, that he had occasionally visited there, and a very good portrait of him was placed in the back parlour.

12. MR. WILLIAM AND MR. HOBBES SCOTT,

were, at one period, accustomed to repair almost daily to Mr. Tooke's. A painting of the latter of these gentlemen was placed in the parlour, and part of the garden actually converted into a hop ground, out of compliment to him. A

* The author of "The Diversions of Purley," composed the article "Infantry," &c., expressly for this work.

coloured print of their sister, the countess of Oxford, hung for some years over the chimney-piece.

13. THE HON. GEORGE HANGER.

A whimsical caricature of this gentleman was suspended in the same apartment, along with many others, of Mr. Tooke, Mr. Paull, sir Francis Burdett, &c.

Mr. Tooke always spoke of this officer with great personal regard; and often observed, in my hearing, "that he was more than once indebted to him for his preservation during the first Westminster election, as he frequently prevented the Irish chairmen, in the interest of Mr. Fox, from putting him to death!"

This gentleman, I understand, has visited more than once at Wimbledon.

14. MR. TIMOTHY BROWN

frequently rode over on a Sunday from his house at East Peckham, near Camberwell, on purpose to dine at Wimbledon. It was by this gentleman's means that Mr. Tooke renewed his acquaintance with lord Thurlow, having seen him, after a lapse of many years, at his residence. Mr. Tooke must have entertained a high opinion of the character and integrity of Mr.

Brown, as the latter was his banker for many years.

15. SIR HUMPHRY DAVY.

While the powers and reputation of this gentleman were not as yet fully developed, Mr. Tooke had formed a high idea of his abilities, and became anxious to see him. He was accordingly gratified in this particular by Dr. Pearson, who carried him down to Wimbledon, and introduced him there. After this interview, Mr. Tooke's respect was greatly increased; and he was so desirous to possess his bust, that he actually engaged Mr. Chantry, the statuary, to model one for him.

16. GEORGE PEARSON, M. D.

This was the physician of Mr. Tooke for many years, and visited him frequently also in the character of a friend. The philosopher of Wimbledon had conceived a high notion of the medical science of this gentleman; and I have often heard him observe, "that he was perfectly satisfied as to his skill, and wished to live no longer than he gave him permission!"

17. MR. CLINE.

Of the professional talents of this gentleman

it is unnecessary to say any thing, for he has attained too high a degree of eminence to profit by my feeble praise. It may not be altogether unnecessary, however, to observe, that Mr. Tooke set a high value on his good sense and discretion; for he earnestly recommended his daughters to apply to him in all cases of difficulty.

It was at his house in Lincoln's Inn Square, that the anniversary of Mr. Tooke's acquittal was celebrated for many years by a dinner.

17. MR. CLIFFORD.

This gentleman was the second son of a respectable Roman catholic family in the county of Stafford. He was educated at Liege, bred to, and had for some time practised at the bar.

When only twenty-one years of age, he wrote a pamphlet, insisting on the right of the English catholics to nominate their bishops, which I have heard the late Dr. Geddes mention with applause.

Mr. Tooke, who professed a great personal respect for Mr. Clifford, and entertained a high opinion of his abilities, once told me, "that he had got acquainted with this gentleman, in consequence of a disagreement; that Mr. Clifford, who would allow no one to abuse him but him-

self, had afterwards fought a duel on his account, &c."

The subject of this article was accustomed to visit frequently at Wimbledon, and at all seasons in the year, except when on circuit.

17. COUNT ALVISE P. ZENOBIO,

the representative of a noble Venetian family, has resided during many years in England. His uncle commanded the fleet of the republic, and he inherited a large patrimony from him. I have been told by Mr. Tooke, that, having determined from his youth, to avoid those splendid, but expensive offices, by which the policy of the State Inquisition, was accustomed to diminish the fortunes of opulent families, he had retired to England; the constitution of which, had ever been the subject of his warmest admiration.

This nobleman was frequently at Wimbledon; I met him there in the spring of 1808, when I learned, that, during a late visit to Portugal, he had been seized, and imprisoned in a dungeon, whence he was sent to the coast of Africa, in consequence of the ridiculous terrors of a weak and suspicious government. To the kindness of the English consul at Tangiers, the late Mr. Magra, he professed himself greatly indebted;

but he observed, that, on the whole, he had been much better treated by the Infidels than the Christians.

On repairing to France, he was soon after sent out of that country, also; and on this he travelled into Germany, where he was received with great hospitality by the late duke of Brunswick, at whose court he resided until a short time before the fatal battle of Jena, and returned once more to Great Britain in 1807. While on the continent, he appears to have corresponded with Mr. Tooke; who by his means was enabled to obtain information, on which he seemed to rely greatly, while treating of foreign affairs at his own table.

Since this period, some of the possessions of Count Zenobio have been sequestered and spoliated by the orders of Bonaparte, for whose vengeance nothing appears either too great, or too small. During the last three or four years, he had declined visiting Mr. Tooke, and he himself assigned very powerful, and at the same time, very honourable reasons for his conduct.

21. MR. JOEL BARLOW,

is the author of the "Columbiad," &c. and was lately minister plenipotentiary from the United States of America to the emperor Napoleon.

Mr. Tooke saw this gentleman for the first time, soon after the publication of his work, addressed to the "Privileged Orders." He conceived a good opinion of his talents; and it was chiefly by his means, that Mr. Barlow was provided with an introduction to France, as has been already mentioned in another part of this work. It is well-known that this circumstance proved highly advantageous, for he was noticed by Gregoire, the constitutional bishop of Blois; and, through his means, sent on a mission to Italy.

He afterwards returned to Paris, and remained during the most stormy period of the revolution, not without danger, but I believe without restraint. During Mr. Pitt's second administration, Mr. Barlow was permitted to repair to this country, through the intervention of his friend, Mr. Fulton, of whose talents and inventions the premier entertained a high opinion; hence he went back to America, purchased an estate in the neighbourhood of Washington, and proposed to found seminaries of education at his own expense: but he was in a short time selected by the *executive* of his native country, to repair to the court of the French emperor in a high diplomatic station.

23. MR. KNIGHT, M. P.

This gentleman has sat more than once in parliament; possesses a considerable landed estate, and has served the office of high sheriff, &c. of his county.

He did not become acquainted with Mr. Tooke, of whose talents, urbanity, and good humour I have heard him speak with high encomiums, until the year 1792.

Mr. Knight seems to be a gentleman of polished manners and amiable temper. At a period when Mr. Tooke's situation was far from being comfortable, he, along with a few others, interposed, in a most liberal and friendly manner, to rescue him from impending distress; and I have heard the latter mention his kindness with all the emotions of heartfelt gratitude.

24. MR. CROWE,

PUBLIC ORATOR OF THE UNIVERSITY OF OXFORD, &c.

I met this gentleman twice at Wimbledon, where Mr. Tooke seemed to pay him great respect. He never talked on political subjects, but seemed much addicted to horticulture. He accordingly spent a considerable portion of the time in visiting and contemplating the gardens,

25. SIR JAMES MACKINTOSH

was educated chiefly at Edinburgh, and intended originally for the profession of medicine, with which view he repaired to, and studied for some time on the continent. On his return to England, the bar presented a far more congenial career to his talents. While a student at Lincoln's Inn, he entered the lists with the author of the "Sublime and Beautiful;" and, by means of his Vindiciæ Gallicæ, realised the high opinion that had been formed of his talents.

First the adversary, then the friend, and finally, if I mistake not, *almost* the convert of Mr. Burke; he was, at the same time, introduced to, and lived in habits of familiarity with Mr. Fox, and the most distinguished members of the opposition of that day. He afterwards added greatly to his reputation, first by his lectures in Lincoln's Inn Hall; and finally, by his defence of Peltier. Soon after this, he obtained the recordership of Bombay, and has lately returned to his native country, after distinguishing himself, no less by the ability of his decisions, than by the mildness and liberality of his conduct, as a judge in the East.

This gentleman was accustomed, at one period, to visit pretty frequently at Wimbledon.

Mr. Tooke entertained a high opinion of his talents for argument; and it was no small praise from such a good judge, "that he was a very formidable adversary across a table."

I hope that the health of this gentleman will enable him to complete the great work in which he is now engaged.

CHAPTER VII.

FROM 1804 TO 1809.

Conversations at Wimbledon.—The Author publishes a new Volume of his Work on Language.—An Anecdote.

IT has been already mentioned, that I had become acquainted with Mr. Tooke some time before this period; but it was not until now that I visited occasionally at his house. Whoever has frequented Wimbledon, and been accustomed to meet Mr. Tooke frequently in company, will readily allow, that no man in the present times, ever exhibited greater colloquial powers. Prepared for either field, he appeared equally able to break a lance amidst the war of political argument, or to give a critical disquisition on the powers and extent of the human intellect. In addition to this, he possessed a certain degree of wit and vivacity difficult to be communicated through the medium

of language; and which, when attempted to be committed to paper, seems to evaporate in the very act of transfusion.

I am not ridiculous enough to think, that I can satisfy either his friends or his enemies in respect to these particulars, and shall, therefore, content myself with an endeavour occasionally to convey a feeble idea of his sentiments, opinions, and remarks. I am well aware, that in abler hands a subject of this kind might have proved still more interesting than the "table talk" of Selden, or even the "symposiacs" of the philosopher of Cheronæa. On looking over my papers, I find that I first began to take minutes of what occurred, during my interviews with Mr. Tooke, about eight years ago. I also perfectly recollect my mentioning this circumstance to himself, which, with his usual good sense and politeness, he considered to be a compliment to his understanding. The notes are here transcribed and inserted, with little or no alteration, either as to the facts or language, from the original documents.

I visited Wimbledon, on Saturday May 11, 1804, when our host exhibited many proofs of his usual shrewdness. After animadverting on

"the present scramble for place and power *," he sarcastically added, "that it was equally execrable and absurd in a ruined nation."

The conversation then turned on the situation of America. He had seen, knew, and respected Mr. Jefferson, who was a great man. His countrymen in general were of a very inferior cast; a prodigious number of *pigmies*, and but few giants among them. Extraordinary talents had neither occurred, nor were to be expected, perhaps, in that quarter of the globe: a man who knew but little, thought himself an extraordinary character there, and was actually so, when compared with the common herd.

Mr. ——, who had held a high situation both in that and in this country, was a poor and mean creature; he knew him perfectly. Mr. Barlow had been in England for some time, and yet had not called upon him! Mr. Tooke was rather surprised, for he had consented to the address from the Constitutional Society, merely for the purpose of getting him *accredited* to France, he having privately assured Mr. Tooke, that he was exceedingly anxious to repair thither.

He added, that he had seen the abbé Gregoire,

* Mr. Addington, now lord Sidmouth, was then preparing to retire, and was soon after succeeded by Mr. Pitt.

(bishop of Blois,) during the short peace, that clergyman having called on and dined with him at Wimbledon. The conversation now turned on other subjects.

In 1805, appeared Part II, of ΕΠΕΑ ΠΤΕΡΟΕΝΤΑ, or the Diversions of Purley, in one volume, 4to. It is dedicated to his jury and counsel; and sir Francis Burdett and himself are the only two persons introduced in the dialogue.

Chap. i. treats of the "Rights of Man." Instead of this expression being "preparatory to some desolating doctrine," it is here maintained, "that a claim of rights by their people, so far from being treason or sedition, is the strongest avowal they can make of their subjection; and that nothing can more evidently show the natural disposition of mankind to rational obedience, than their invariable use of this word RIGHT, and their perpetual application of it to all which they desire, and to every thing which they deem excellent."

We are soon after informed, that RIGHT is no other than RECT-*um*, (*regitum*,) the past participle of the Latin verb *regere*: whence, in Italian, comes RITTO; and from *dirigere*, DIRITTO,

DRITTO; and hence the French have their ancient DROICT, and their modern DROIT.

JUST, we are told, is the past participle of the verb *jubere;* DECREE, EDICT, STATUTE, INSTITUTE, MANDATE, PRECEPT, are all past participles. LAW, in our ancient books, written laugh, lagh, lage, and ley, is merely the past tense, and past participle of a Gothic and Anglo Saxon verb, and means something *laid down* — as a rule of conduct. Thus, when a man demands his RIGHT, he asks only that which it is *ordered* he shall have.

It is deemed highly improper to say, that God has a RIGHT; as it is also to say, that God is JUST. These expressions are inapplicable to the Deity; "they are applicable only to men, who are by nature the subjects of *orders and commands,* and whose chief merit is obedience."

The author also maintains, "that a thing may be at the same time both RIGHT and WRONG, as well as RIGHT and LEFT. It may be *commanded* to be done, and *commanded* not to be done. The law, *i. e.* that which is *laid down,* may be different by different authorities. I have been always most obedient when most taxed with disobedience: but my RIGHT HAND is not the RIGHT HAND of Melinda. The RIGHT I revere, is not the RIGHT adored by sycophants; the *jus*

vagum, the capricious *command* of princes or ministers. I follow the LAW of God (which is laid down by him for the rule of my conduct) when I follow the LAWS of human nature; which, without any human testimony, we know must proceed from God; and upon these are founded the RIGHTS of man, or what is *ordered* for man. I revere the constitution and constitutional LAWS of England; because they are in conformity with the LAWS of God and nature; and upon these are founded the rational RIGHTS of Englishmen."

Chap. ii, iii, iv, and v, are dedicated to the consideration of "abstraction;" which we are told, should rather be termed *subaudition*. It is here stated, "that the ridicule which Dr. Conyers Middleton has justly bestowed upon the papists for their absurd coinage of saints, is equally applicable to ourselves and to all other metaphysicians, whose moral duties, moral causes, and moral qualities, are not less ridiculously coined and imposed upon their followers. Fate, destiny, luck, lot, chance, &c., as well as JUST, RIGHT, and WRONG, are all merely participles poetically embodied and substantiated by those who use them. So CHURCH, for instance, (*dominicum*, aliquid) is an adjective, and formerly a most wicked one, whose misinterpreta-

tion caused more slaughter and pillage of mankind than all the other cheats together."

The author now continues his etymological career, and tells his readers, that ANGEL, SAINT, SPIRIT, are the past participles of αγγελλειν, sanciri, spirare; that the Italian *cucolo*, a cuckow, give us the verb *to cucol*, which is properly pronounced without the D by the common people; that an EPISTLE, an APOSTLE, and a PORE, come from επιστελλω, αποστελλω, and πειρω. ODD is the participle *owed, ow'd*; this relates to pairing, and means without a fellow, unmatched, one *owed* to make up a couple. HEAD is heaved, heav'd, the past participle of the verb *to heave* — meaning that part which is heav'd, raised, or lifted up above the rest. WILD, *willed, will'd*, (or self-willed,) is in opposition to those who are taxed or subdued. LOUD is the past participle of the verb TO LOW, and was formerly and more properly written LOW'D. FIELD, formerly written *feld*, is the past participle of the verb TO FELL. FIELD-*land* is opposed to *wood-land*, and means land where the trees have been *felled*. Coward is the past participle of the verb *to cower*:

"COW'RING and quaking at a conqu'ror's sword"
Dryden's Absalom and Achitophel.

The clear understanding of words used in discourse, is next insisted upon; for without this, we "gabble like things most brutish." "But the importance rises higher," we are told, "when we reflect upon the application of words to metaphysics; and when I say metaphysics," adds he, "you will be pleased to remember, that all general reasoning, all politics, law, morality, and divinity, are merely metaphysics."

DOTARD is supposed to be DODER'D (i. e. *befooled.*) DOTEREL is its diminutive.

"*Doterel* catching (except treacherously shedding the blood of his most virtuous subjects) was the favourite diversion of Charles the Second." WICKED, we are told, is WITCHED, (CK for CH,) and the word witch, is as applicable to men as women. Guilt is *guiled or beguiled.*

Chaps. vi, vii, and viii, treat of adjectives and participles. "An adjective is defined to be the *name of a thing*, which is directed to be joined to some other *name of a thing.*" It is asserted, on the authority of Jonathan Edwards, D. D. pastor of the church, in Newhaven, North America, that, the MUHHEKANEEW Indians, "have no adjectives in all their language."

So great is the convenience and importance of that useful *abbreviation*, the participle,

that, in addition to the two in our own language, our writers have borrowed from other languages, and incorporated them with our own, four more participles of equal value. Our author wishes it to be called *a verb adjective*; and he adds, that the *moods* and *tenses* themselves are merely *abbreviations*. In respect to abbreviations adopted from other languages, the potential passive adjective is that which our ancient writers first adopted. The words admissible, affable, ineffable, inaccessible, &c. &c. could not be translated into English, by our early authors, but by a *periphrasis*; they therefore took the words themselves as they found them, and their frequent repetition has at length naturalized them among us.

The words *shapeable, sizeable, companionable, personable, changeable, accustomable, mercia ble, behoveable,* which disgrace the writings of some of our best authors, are termed monsters in our language.

The words LEGEND, REVEREND, DIVIDEND, PREBEND, MEMORANDUM, are all adopted from the Latin. "The first of these, LEGEND, which means, — *that which ought to be read* — is, from the early misapplication of the term by importers, now used by us, as if it meant — that which ought to be laughed at." "How soon REVEREND — i. e. *which ought to be revered* — will be in

the same condition, though now with great propriety applied to our judges and our clergy, I pretend not to determine. It will depend upon themselves. But if ever a time shall arrive, when, through abject servility and greediness, they become distinguished as the principal instruments of pillage and oppression; it is not the mitre and the coif, nor the cant of either of them, that will prevent REVEREND from becoming, like LEGEND, a term of the utmost reproach and contempt."

Recurring once more to abbreviations, we are told that a short, close, and compact method of speech, answers the purpose of a map upon a reduced scale: it assists greatly the comprehension of our understanding; and, in general reasoning, frequently enables us, at one glance, to take in very numerous and important relations and conclusions, which would otherwise totally escape us.

The author concludes thus: "We will leave off here for the present. It is true, that my evening is now come, and the night fast approaching; yet if we shall have a tolerably lengthened twilight, we may still perhaps find time enough for a further conversation on this subject: and finally, (if the times will bear it,) to apply this system of language to all the different systems of metaphysical (i. e. verbal) imposture!"

Dr. Lowth, Mr. Harris, and Mr. Malone, together with Dr. Johnson, are all treated with but little respect in this volume; but on the other hand Mr. Cline, Mr. Haslem, Mr. Steevens, and Major James, are mentioned in a very flattering manner.

Partly on account of some of the political opinions introduced, and partly from the critical state of the times, the printer was very shy of affixing his name. In consequence of his extreme precaution, several blanks were inevitably and reluctantly left in the text. The omissions, however, are of a far less alarming manner than has been supposed, and their places may now be supplied, without any danger of prosecution.*

* To enable every one to correct his own copy of the edition printed in 1805, of vol. ii. I here subjoin, from an exact transcript, that now lies before me, all omissions whatsoever, which may be inserted in the blanks, with a pen.

Page 141, 1*st line from the top, add* — shameful persecution, and a most unconstitutional, illegal, and cruel sentence destroyed—

11*th line from the top, add* — reward rather than punishment —

16*th and* 17*th lines from the top, add* — but for the invention of new taxes and new penalties, for spies and informers:

18*th and* 19*th lines from the top, add*—in this our present state of siege—

20*th line from the top, add* — neither taxes, nor penalties, nor spies —

So anxious was the author during the process of printing, that, instead of obtaining the

Page 141, 8*th line from the bottom, add* — in a state of siege —
7*th line from the bottom, add* — obstinate system of despotism and corruption —
6*th line from the bottom, add* — Ireland —
5*th line from the bottom, add* — all lost, all gone! —
3*d line from the bottom, add* — persecuted and plundered —
2*d line from the bottom, add* — now in a state of siege —
last line, add — each individual at home more disgracefully —

Page 142, 1*st line, add in first blank* — and duly besieged —
add in 2*d blank* — tax-collectors, assessors —
2*d line from the top, add* — and supervisors, armed with degrading lists to be signed —
3*d line from the top, add* — under precipitated, and ensnaring penalties —
4*th line from the top, add* — prema-
5*th line from the top, add in first blank* — turely attacked — *in* 2*d blank* — harassed tenants —
12*th. line from the top, add* — the die —
13*th line from the top, add* — is certainly cast, although we had not a foreign enemy in the world —

Page 158, *line* 14*th from the top, add* — Kings —
line 4*th from the bottom, add* — Kings —

Page 235, *line* 2*d from the bottom, add* — Malone's —

Page 236, *line* 8*th from the top, add* — Malone —

Page 242, *line* 7*th from the bottom of the note, add,* besieged

Page 246, *line* 7*th from the top, add* — Pitt — *in first blank* — Dundas — *in second.*
line 9*th from the top, add* — traitorous —

proofs by the penny post, and returning them in the usual manner, with corrections and emendations, he chose rather to repair to town daily for the express purpose of superintending the press. This, indeed, had become in some measure necessary in consequence of the great discretion of Mr. Bye, who, as has been already stated, was fearful of the consequences if he copied the manuscript with his usual accuracy.

Some passages of a political nature, might then have been deemed libellous; and perhaps he had consulted "legal advisers," who would of course warn him of his danger. As the times were "out of joint," and he himself personally responsible, he cannot be much blamed for proving a little coy on this occasion, when the risk was considerable and the consequences alarming. The well-known name, determined resolution, and marked character of the author, seemed to expose him to far greater dangers

Page 246, *line* 10*th from the top, add* — doctrine of giving our last guinea to secure a remaining —
line 11*th from the top, add* — sixpence, and the most precious of our rights in order to secure —
line 12*th from the top, add* — the miserable rest —
line 7*th from the bottom, add* — chancellor of the exchequer —

Page 490, *line* 8*th from the top, add* — Dundas —
line 9*th from the top, add* — Pitt —
line 4*th from the top, add* — houses of parliament —

than on ordinary occasions, so that he was obliged to be doubly vigilant.

On the other hand, Mr. Tooke possessed all the predilections of a fond parent for his literary offspring, which was the child of his old age. Bold, masculine, and accustomed to be obeyed, he could not bear to be thwarted or controuled on this occasion; intimately acquainted with the laws, and conversant in the doctrine of libel, he spurned at the suggestions of obscure barristers, and ridiculed the prudential fears of a timid tradesman. Frequent conferences, therefore, were necessary, and the back parlour of the printing office in St. John's Square became the scene of daily contention. At length, as is usual in such cases, a compromise ensued, and part was inserted and part left out.

This work proved not a little advantageous to Mr. Tooke in every point of view. In the first place, it served to render his name still more conspicuous, both at home and abroad; and in the next, it contributed not a little to the improvement of his fortune. In addition to the sum obtained from his publisher, he himself received a considerable subscription; and it was not unusual with his friends to conduct themselves with a meritorious liberality on this occasion.

A little event occurred about this period, which serves to convey some idea both of the spirit and disinterestedness of the subject of these memoirs. About six years ago a gentleman dined with me, whom I had not seen for a long time. He came in his own carriage, exhibited all the external signs of opulence, and was, by his own confession, rich. I had known him when he was very poor, and was well aware, that, at a critical and important moment, on the event of which the colour of his whole future life depended, Mr. Horne Tooke, although but a new acquaintance, had most generously stepped forward, and presented him with a sum of money under the name of a loan. It gave me singular pleasure, therefore, to learn, that he was very desirous to renew his visits at Wimbledon; and, when he applied to me, I most cheerfully undertook to carry him thither, thinking, that he meant to seize this opportunity to pay the sum borrowed.

Luckily, however, I resolved to write a note to announce our intended visit; but to this I did not obtain any answer for some time, which I attributed solely to illness. At length, the following letter was received by me.

"*Wimbledon, April* 14, 1806.

"DEAR SIR,

"I shall be happy to see you whenever it most "suits your convenience. I would call upon "you, if the weather and the gout permitted "me.

"I wish much to explain to you why I did "not answer your letter. I trusted that you "would understand clearly, that it could not be "intended as any want of respect for you, but a "disinclination to receive the companion you "proposed.

"I am, with much respect and regard,

"Your obliged humble servant,

"J. HORNE TOOKE."

"*A. Stephens, Esq.*"

On repairing to Wimbledon soon after, I learned that he had declined a similar proposition made through the medium of Mr. Bosville; and he himself told me, in language replete with indignation, "that, after such a long neglect, he would neither see the gentleman nor accept of his own money!"

In the autumn of the same year, I received the following note from Mr. Tooke; which is here inserted, as a fair specimen of the *brevity* of his epistolary correspondence.

" *Nov.* 8, 1806.

" DEAR SIR,

" Will you come and dine with me to-mor-
" row at Wimbledon? I have been long expect-
" ing you, and wish much to see you.

" I am, very truly,

" Your obedient servant,

" JOHN HORNE TOOKE."

" *Alex. Stephens, Esq., Chelsea Park.*"

Happening to walk over to Wimbledon one fine morning in 1807, he soon entered, as usual, into a spirited conversation. Wars in general, he observed, were attended with far more ruinous effects to nations than the evils they were meant to avert. Their advantages had seldom or never been counterbalanced by adequate successes. Spain had been punished by her frequent contests with France, and both France and England injured by their long and violent animosities against each other. They would have been completely ruined indeed, but for the internal riches of the one country, and the prosperous commerce and manufactures of the other!

We have, indeed, waged some *advantageous wars*, as they are called, more especially that car-

ried on under the administration of the duke of Marlborough and the great lord Chatham; but they laid the foundation of those debts and taxes which will finally crush us.

As for France, she was completely foiled in her Italian expeditions; she has never actually been a great commercial or manufacturing nation; and since the time of Charlemagne, has undertaken but two or three successful expeditions against other states; and yet, when not governed by minions and mistresses, she has constantly been progressive in point of strength, consequence, and importance. This might be attributed to her natural riches, which made up for her political errors; her position in the heart of Europe, and her internal resources, which rendered her, in a great measure, independent of other kingdoms.

From this, the conversation having turned on the military appointments of the present day, our host observed, that he liked the English best; scarlet for the foot, and blue for the horse and artillery. He hated mustachios, whiskers, and fanciful decorations; he detested the idea of dressing up our soldiers after the rascally models of Croats, Pardours, and Talpaches, and barbarians from the banks of the

Drave, the Saave, and the Vistula, who had been beaten and discomfitted by a ragged enemy!

Having called in the course of a few days after, I found that Mr. Tooke was not only fond of horticulture, but seemed to think, "that gardeners possessed more genius and knowledge than any other class of men in the same rank of society."

He was much addicted to agriculture also, which is a sister art, and spoke well and learnedly on that subject. He lamented greatly to me, one day, that he had not a little farm at Wimbledon; but the land was so occupied with gardens and pleasure grounds, and so exceedingly dear, in consequence of the many gentlemen's seats with which it was surrounded, that this had been found impossible.

His grand principle, like that of Cato, Columella, and all the farmers of antiquity, was *stercoration;* and this was evinced by the manner in which he frequently coated his grass fields with manure. I think he told me, that he sometimes had it brought from London at the rate of a guinea the load. Notwithstanding this, he railed at, and ridiculed those agricultural patriots, who, in his own language, "were more intent on raising turnips, fattening swine, and

overfeeding sheep, than in attending to objects of national concern!"

The present age, he said, was more temperate than the last. No one now hears of a company at a tavern burning their wigs, although it was common in his younger days. "I will venture to prophesy," added he, "that the next generation will prove still more sober, for, as the taxes increase, to drink wine, will be to drink gold!"

Mr. Tooke considered foreign travel, and the knowledge of languages, not simply as good in themselves, but merely as the means of attaining good. The ancient Greeks visited Egypt in search of learning; the Romans repaired to Greece for the same purpose.

One of the chief evils of the present times, he said, was the want of rational occupation for our opulent youth, who, after they had left school and college, had absolutely nothing to do, and were, therefore, obliged to cull out for themselves mean, useless, or degrading employments.

Among us, education was now grossly deficient in this respect. The sons of our men of fortune formerly travelled to Paris and Rome, accompanied by their tutors; and, if they acquired nothing more while there than the French and Italian languages, yet something

was still achieved, as these were the *inlets* to human reason. The mere sight of foreign countries, too, enlarges the ideas of the inhabitants of a little island, who were too apt to undervalue strangers; while a knowledge of the vernacular tongue was generally accompanied with a taste for the literature of the country, at the same time that it enables us not unfrequently to inhale science at the fountain-head.

Many of our young men of fashion had become the bottle-holders of pugilists, and the rivals of their own coachmen; they were *learned* only in the pedigree of a horse; some of these were great walkers for wagers; others killed their cattle by running them against time. What a Pandora's box of ills will be opened for the next generation! As for private morals, or public liberty, they could never survive either such times or such practices.

Our host then concluded by remarking that our political system, under "existing circumstances," had become an immense and complicated machine, the rapidity of whose motions rendered it ungovernable. As to what was urged about the apparent wealth and ease of the people, this proved nothing. In France, during the time of Law, the situation of the state was desperate, and yet the period of the regency

was notorious for pleasure, luxury, and dissipation.

I was once more told by himself, on Sunday, June 21, 1807, that, until the age of forty-one, (which, I believe, corresponds with the epoch of his imprisonment in the King's Bench,) he scarcely ever drank wine or fermented liquors. Water, alone, was his usual beverage. After that period, he got into company, "and was obliged to do what others did."

In the course of that day I remarked, in his back-parlour, the *caricature* of himself in the character of the Old Man of the Mountain, carrying Sinbad (sir Francis Burdett) on his back to destruction.

The gout, with which he had been greatly afflicted, was the chief subject of conversation. He observed, that it was possible to *wear out* the disease, and added, that he believed, he himself had actually *worn it out*. On being pushed relative to this paradox, he stated, "that his neighbour, sir Francis Burdett's grandfather, had actually survived the gout, by outliving the distemper for several years!"

The discourse afterwards turned on the various forms of government, and their effects on mankind. Mr. Tooke maintained, that, on looking attentively at half a dozen of the in-

habitants of any country, it would be possible for an accurate observer to discover the nature of the political regimen under which they had been born and brought up. The Greeks were handsomer and stronger than the Persians; the English peasantry of the present day excelled the Irish; the people of this country, during the reigns of William III, queen Anne, and particularly of George I and George II, were superior, perhaps, to those now in existence, from the operation of the taxes, &c.

"As to the inhabitants of Athens, and the other neighbouring republics, they consisted of legislators, philosophers, and heroes, and were most properly selected as models for the gods of antiquity, having approximated nearer to an absolute state of perfection than other men. — While at Marseilles, he thought there was something of a nobler cast discoverable in the countenances and persons of the citizens, for which he was at a loss to account, until he recollected that they were the descendants of a Greek colony."

One of his guests happening to state the necessity of distinguishing accurately in respect to words, he remarked, that there was a great difference between the ecclesiastical word *sin*, which implied vice, and the term

crime, as used in colloquial intercourse: the latter might imply merely an inroad on a particular law. The one constituted the *malum in se;* the other, the *malum prohibitum.*

Some conversation occured that day, at dinner, relative to Junius. He laughed at the idea of Mr. Boyd's being the author, as affirmed by Almon. On being told, that Henry Sampson Woodfall had intimated that he was in possession of several letters from him, in a fine Italian hand, and seemingly written by means of a crow-quill, he observed, "that Mr. Woodfall was a very honest man; but he doubted the fact! They had been all surrendered."

One of the company now asked, if he knew the author? On the question being put, he immediately crossed his knife and fork on his plate, and, assuming a stern look, replied, "I do!" His manner, tone, and attitude, were all too formidable to admit of any further interrogatories.

Having engaged, soon after, in a discussion of the principles of political economy, Mr. Tooke took a wide range, as was usual with him when engaged on his favourite subject of ministerial mismanagement. Among former grievances, he talked of fortifications; and observed, that those commenced and carried on by

the late duke of Richmond, whom he knew well, had occasioned the scandalous, because unnecessary, expenditure of immense sums. Had they been completed, according to his original plan, they would have laid the foundation of a new national debt, and rendered it impossible to support our navy. He added, jocularly, "that he believed this nobleman intended to improve on Friar Bacon's project, and, instead of a triple wall of brass, had resolved on throwing a triple girdle of brick and mortar around the island! But, happily for the country, he had been foiled in his projects by an able pamphlet written by a captain of engineers, and the casting vote of the speaker of the house of commons.

After expressing his astonishment at the conduct of his grace, who was not only a very sensible nobleman, but, in the management of his own private fortune, a great economist, he asked a gentleman present, if he had heard any thing of the officer just alluded to? On declaring in the negative, he observed, "that, while this officer had saved so many millions to the nation, he had most probably incurred his own inevitable ruin, and was now, perhaps, either a wanderer in some foreign country, or, like Belisarius of old, reduced to poverty in that land

which his intrepidity had succoured and preserved! . . . . .

A short, but impressive pause, now ensued, at the conclusion of which he added, "that, for his own part, he had met with harsh treatment, and been most unjustly persecuted, but that this was a cruel case; and it was now evident, that if in pursuit of worldly advantages, it would be better to possess a little corner in a Cornish borough than all the genius of a Cæsar, joined to all the science of an Archimedes!"

Having never seen the officer alluded to, I was then incapable of answering the interrogatory in a satisfactory manner; but the mention of his services, and his sacrifices, made a deep impression on my mind; and I am now enabled, by means of a friend, to give the following account of him:—

Born almost on the very spot which produced the "admirable Chrichton," like this celebrated man, his mind seems to have been moulded by the hand of genius; and his life variegated with adventures and misfortunes. After obtaining a liberal education, at a neighbouring university, the fame of his talents attracted the notice of a nobleman, who procured him a commission in the artillery. His skill and gallantry soon rendered him conspicuous, and,

having an opportunity of distinguishing himself, during the American war, at the siege of fort Stainwix, the marquis of Townshend, then at the head of the ordnance, of his own accord, and without any solicitation, promoted him into the engineers.

The duke of Richmond afterwards hearing of his great professional talents, deemed the suffrage of a man, who to a critical acquaintance with modern military science added a perfect knowledge of ancient tactics, worthy of solicitation. But this officer frankly declared against the new system of fortifications, as ruinous in point of expense — inefficacious, on account of their extent — and utterly unwise, when contemplated according to the approved principles of war; for who would coop up a whole army within walls, which, in case of invasion, might be so much more efficaciously employed in the field against the enemy?

Not content, however, with a silent dissent — for, it seems, he was young, ardent, and unacquainted with the world — this officer, although destitute of fortune, either hereditary or acquired, ventured publicly to dispute the palm of wisdom with the new master-general of the ordnance, although he was then under his immediate superintendence and controul. Having

widely disseminated his professional criticisms by means of the press *, the public caught the alarm — the ministers were intimidated — the noble mathematician enraged — and, although his grace condescended to wage a paper war with a subaltern, yet he failed in convincing any one out of the circle of his own immediate partisans. Notwithstanding this, it was supposed, by those most accustomed to parliamentary discussions, that the measure would be carried with a high hand, and that a debt of twenty millions would be the penalty of the duke of Richmond's science and Mr. Pitt's eloquence. This supposition, however, was falsified by the event, as the *country gentlemen* remained unmoved, on that occasion, by the oratory of the premier, for, on the estimates being laid before the house of commons, the project was happily put an end to by the casting vote of Mr. Cornwall, who then filled the chair.

At once enraged and mortified at his discomfiture, the nobleman alluded to did not prove a generous adversary, for he is said to have ordered his antagonist on a distant and unhealthy service; and he had no sooner arrived at the place of his destination, than a fresh com-

* "Observations on the Duke of Richmond's extensive Plans of Fortifications, &c."

mand was issued to repair to a new station. Finding this frequently repeated, and perceiving himself in danger on one hand of being ruined by the expenses attendant on frequent removals, and on the other, of perishing in a climate eminently unfriendly to the human constitution; he at length listened to the counsels of Mr. Fox, then at the head of the opposition, who advised him to retire from the service, under a solemn promise of being reinstated in his rank on a change in the administration. In that pledge, I have been given to understand, a great personage not only concurred, but even plighted his honour; and, on receiving due notification of this event, the captain of engineers immediately tendered his resignation, which was, of course, most readily accepted.

Until the event alluded to should occur, he remained in British America, and, while there, was noticed by a prince of the blood, whose discernment soon pointed him out as a man of talents: he was accordingly selected by his royal highness to inspect and report on the fortifications within his government. Should Halifax be ever attacked by an army from the United States, perhaps that sole remaining arsenal on the trans-atlantic continent may be indebted for its preservation to the scientific

genius of the officer employed on this occasion.

After a residence of some years in that part of the globe, I have learned, that, emerging from the Canadian snows and the fogs of New Brunswick, this gentleman has appeared once more in our hemisphere; not to be crowned with well-earned laurels; not to obtain the meed so justly due to the man who had saved millions to his native country, and, like the Athenian oracle of old, invoked the assistance of *wooden walls* for its defence; but as a suppliant, still prostrate beneath the stroke of power, humbly, and hitherto unavailingly, soliciting bread, employment, and indemnification.

Feeling warmly in behalf of injured and neglected worth, I entertain no common degree of indignation at the forlorn situation of a meritorious officer, whose very name I do not think myself entitled to mention, and in whose behalf I now volunteer my services, unknown even to himself. Nor is my zeal abated when I am reminded, that science is not a little indebted to his labours. He is the only mathematician who has ever given a general demonstration of the binomial problem * on one hand, while on

* See the "Scriptores Logarithmici" of the learned baron Maseres.

the other, he has proved to the Royal Society, of which he is at once a member and an ornament, the fallacy of the celebrated proposition relative to the quadrature of the circle; a discovery for which rewards were proffered by more than one learned body on the continent, while it is said to have engaged the attention and baffled the efforts of the illustrious Newton himself *.

These are high claims and pretensions; and it only remains to be seen, whether they are well founded. Should my observations lead to an inquiry into the truth of this statement, and, if *true*, produce speedy retribution in behalf of a meritorious but unprotected individual, who, by the self-same act that rescued the state from new millions of debt, and ensured the triumph of our navy, produced his own inevitable ruin; I shall feel a high degree of gratification, and console myself with the reflection, that my labours have not been wholly in vain. An appeal, equally pure and disinterested, like this, is at least calculated to solicit attention by its diffusion, and pique curiosity by

* This paper, proving the infinite incommensurability of the circumference with the diameter, and the consequent impracticability of a perfect geometrical quadrature of the circle, was read before the Royal Society in the spring of 1812.

its singularity. Literature is never so nobly employed as in the cause of neglected genius, or oppressed worth. Voltaire, by similar means, warded off the stroke of despotism from the family of the unhappy Calas: I want only the magic of his pen, and the influence of his celebrity, to obtain, not an act of favour, but of gratitude and justice, in behalf of an injured individual.

About this period, some events occurred which contributed not a little to render Mr. Tooke, for a time, completely wretched. One of these was the singular duel that took place between sir Francis Burdett and Mr. Paull; in consequence of which both were severely wounded. Another was the then recent contest for Middlesex, in which an immense sum of money had been expended, without effecting any useful purpose, either public or private.

It was now full time for the politician of Wimbledon to have retired from the scene of action, and, reposing under the shade of his former laurels, to have consigned the remaining portion of his life to the care of his declining health, and that quiet and tranquillity which constitute the comfort of old age. But such were not his intentions; and indeed it was not in his nature to remain passive under the pressure of any cala-

mity, on the part of either himself or his friends.

Accordingly, on May 6, 1807, Mr. Tooke addressed a letter to the editor of the "Times," in which he disclaimed the wish to see a neighbouring baronet returned a knight of the shire. "If my advice," added he, "had been as omnipotent, as the dirty scribblers of the day have chosen to represent it, over the mind of sir Francis Burdett, he never would have been a candidate at all. Nor did I ever labour by entreaty more earnestly for any thing, than I did from the beginning, and before the beginning, to dissuade sir Francis from being a candidate for Middlesex; and, for his sake, I rejoice that he is not returned to parliament for that place or for any other."

He then alludes to the late combat between sir Francis and Mr. Paull, concerning the latter of whom, he expresses himself as follows:

"I always treated him with civility, but have most cautiously avoided any other connexion with him of any kind; nor could he ever prevail upon me, though he used much importunity, to write a single syllable for him, or concerning him. There was something about him with which it was impossible for me to connect myself. I wished him very well; knew no harm

of him; suspected none; but my mind perpetually whispered to me — *Vetabo sub iisdem sit trabibus, fragilemque mecum solvat phaselum.* It was unfounded prejudice, perhaps; but I have experienced something in this world; and superfluous caution may be pardoned to old age."

This was soon after followed by a pamphlet, entitled "A Warning to the Electors of Westminster*;" in which he states, "that their late rejected candidate, Mr. Paull, meditates another assassination of their present representative, sir Francis Burdett. Duel, I think," adds the author, "he will never have again with any gentleman in his senses. But there is no answering for tastes; and if Mr. Paull should prefer Newgate to the King's Bench, and hanging to starving, he may yet commit a murder."

Mr. Paull, although wounded and confined to his bed, answered the charges contained in the former of these publications by means of a printed letter; in which, among other things, he denied that he had intruded himself into the author's house, at Wimbledon, "on Sundays," and actually produced invitations for that purpose, which had been entirely forgotten, amidst the paroxysms of resentment occasioned by recent events.

* Printed for J. Johnson, St. Paul's Church-yard, 1807.

In 1808, the events that occurred in Spain attracted the attention of all Europe, and suddenly rendered that once hostile state a suppliant to Great Britain for aid and assistance. A foreigner imposed under the character of a sovereign, and two of her native kings become prisoners at once, and that too by the basest arts; seemed to excite both the loyalty and the pride of a generous and lofty nation, and promised results highly beneficial to the best interests of humanity.

On this occasion, it was suggested to me, by a very respectable person, that a general demonstration of public indignation would prove highly useful; and it was at the same time hinted, that, as I was in the habit of seeing Mr. Tooke, if it were possible to procure his assistance to such a measure, his name and connexions would contribute not a little to clothe it with the garb of popularity.

It was not difficult to obtain my assent to so just and proper a measure; I therefore invited Mr. Tooke, and *one of his friends,* to dinner, and begged the gentleman, who had made the proposal, to be of the party. The interview accordingly took place, and it was resolved to seize a proper occasion to commence the subject meant to be discussed. But, long

before the repast was concluded, the politician of Wimbledon, of his own accord, started the subject, and, to my great sorrow, declared, "the Spaniards were so degenerate a people, that every change must be for the better; even conquest and subjugation themselves, horrible as they doubtless were, ought to be contemplated as a melioration of their condition. What, but the sword of a foreign and more enlightened nation, could dispel such an odious superstition? such gross and horrid ignorance? so despicable and perfidious a reliance on popery and priestcraft? Had we not heard that the *sacred tribunal* was protected, supported, and encouraged by the new government? that the banners of the holy office were to be unfolded on the side of liberty? and that the inquisition was to raise a regiment to combat in its behalf?—a regiment of inquisitors combating for the freedom of a brave nation! — foolish! — ridiculous! — execrable!"

It is almost unnecessary after this to observe, that the proposition alluded to above was not made. I lamented exceedingly, however, that a man, who had always been considered as the apostle of liberty in his own country, should have reasoned in this manner upon the present occasion. As to the policy of our direct intervention, the propriety of our becoming principals

instead of allies, and the prudence of endangering our own system of finance to rescue another nation from the iron gripe of oppression: these are all questions totally unconnected with the origin of the dispute.

If any cause was ever so sanctified by its motives as to be deemed *holy*, assuredly the Spaniards possess that claim in a peculiar degree; and, if finally victorious, it is to be hoped, they will make a noble use of their independence. On the other hand, even if at length subjected, they will at least possess the consolation to think, that they have been most zealously supported by their allies in this gallant struggle for the liberties and the independence of their native country.

Happening to ride over to Wimbledon one morning during the spring of 1809, Mr. Tooke showed me a large bundle of manuscripts, which was supposed would prove sufficient to form a third volume of his great philological work. As he was in some doubts as to this circumstance, he desired me to *guess*; and, to enable me to approximate the truth, I began by taking the number of the pages. The next step was, to ascertain the lines and the words in a single page, and, after multiplying these together, and making a comparative estimate with the printed

copy, I pronounced, without hesitation, that there was enough to make one volume and a half, at which he seemed much pleased.

During his last illness he formed the resolution of destroying all his manuscripts and every other paper, or writing, title-deeds and account-books only excepted. The operation was performed in an apartment above stairs, and lasted during a whole month! An incessant fire was kept up for that purpose, and one of the young ladies, who was obliged reluctantly to assist in the conflagration, has since very appositely compared it "to the burning of the Alexandrian library." On this occasion, the manuscript alluded to above was wholly consumed; a most valuable correspondence was at the same time committed to the flames, together with a treatise on Moral Philosophy, in express opposition, as I understand, to the principles laid down by Mr. archdeacon Paley. It is not a little remarkable that the life of the author had nearly been sacrificed at the same time with his works; for the combustion became so violent as to extend to his clothes, and actually scorched his great coat to such a degree as to render it utterly unfit to be worn again.

I have been informed, by a gentleman who has been praised by him, in vol. II. and is no

boroughs, as unjust; "for it was scandalous to reward the proprietors for pretended sacrifices which constituted the disgrace of the country." He allowed, however, that it was politic; for it might prevent disturbances, and even a civil war. Mr. Tooke had spoken to the duke of Richmond on this subject, "who, as he loved money, was averse from the sacrifice," on which he himself had proposed, that government should present the owner with an hereditary seat for every elective one, and thus save the expense. This idea was greatly approved of by his grace.

He then remarked, that Mr. Pitt had changed his original plan; for he had increased the aristocracy without completing the bargain alluded to; thus rendering the house of peers omnipotent, by ennobling all the proprietors of boroughs, before he had extinguished their claims, which enabled them to exercise a preponderating power in the house of commons. This increase of peers, he said, would, in time, produce a complete oligarchy, and there would be *poor peers*, as in Venice, &c., dependent on the great patrician families, which would alone govern.

A rational reform, it was added, would have made both king and people independent; but Mr. Pitt's measure, had rendered the wishes of either of but little avail, as was seen "in the

late conspiracy for turning out the king's servants, a measure achieved by the combination of a few noble families, which constituted but the beginning of similar proceedings."

Having been favoured with a memorandum on this subject, by Mr. Tooke's nephew, I shall subjoin the contents here, as it will serve to illustrate this part of the conversation.

"Mr. Tooke called on the duke of Richmond one day at the Tower, respecting the case of a young gentleman, whose name was Edridge, and who had been removed from his situation in the *Long Room*, as Mr. Tooke thought, unjustly. As soon as this matter was settled, his grace asked Mr. Tooke what he thought of Mr. Pitt's proposition for raising a sum of a million for the purpose of buying up the rotten boroughs?

"Mr. Tooke replied, he deemed it unnecessary, as the boroughs might be got rid of without putting the nation to any expense whatever! And, that if Mr. Pitt would only do a tenth part of what he promised, he should never hear his name again but in his praise.

"Upon the duke's desiring to be informed how this was to be effected? Mr. Tooke said, 'let every man who has a borough be made a peer; and, if he has more than one, let him nominate a friend or friends; he would be glad of the ex-

mean judge of every thing appertaining to language, that the first word in vol. III, thus unrelentingly destroyed, was, "BELIEF;" and that a large portion of the manuscript consisted of a critical examination of the credibility of human testimony.

In the autumn of 1809, I beheld at Wimbledon, the two letters O, P, finely embroidered in silver on a blue ground. On inquiring into the meaning, I was told that the late Mr. Clifford, the counsel, having been presented with this emblem of his successful opposition to the *new prices* at Covent Garden theatre, had immediately carried it thither, and placed it in the parlour exactly between two caricatures of Mr. Tooke and his friends.

I now discovered that our host, while stretched on his couch, and racked with pain, had been one of the most zealous of the O. P's.; and he himself took that opportunity to inform me, "that he was not only the friend to old prices, but also to old players!"

He also seized that occasion to praise the conduct of Mr. Clifford and all those who supported him. The Theatre, he observed, was a great national concern, connected with the morals, and even with the liberties of the people, and when any thing improper occurred on the part

of the managers, or those interested from mercenary motives in its success, this ought to be abated exactly in the same form and manner with any other public nuisance.

I was, on this occasion, astonished at his memory, which did not seem to have been impaired with years; and in fine, I saw nothing of senility but gouty limbs and the praise of times past. His conversation reminded me of the Greek* mentioned by Pliny, who could repeat the contents of a library; but I doubt whether he possessed the powers of selection and criticism, so admirably evinced by Mr. Tooke. His opinions on religion were now developed to a certain degree for the first time. He admired and respected the word (ἐι) said to have been engraved on the front of the temple of Apollo at Delphi; and he affixed to it the same signification (ἐι, ἐν) as Plutarch, who, according to appearance, was not a polytheist.

On the name of Mr. Pitt being mentioned, he repeated several anecdotes respecting that celebrated senator, who was still alive, and revelling in the plenitude of unbounded power. He condemned his former scheme for raising a million by way of *sinking fund*, to buy up the rotten

* Charmidas, Hist. Nat. lib. vii, cap. 24.

CHAPTER VIII.

FROM 1810 TO 1812.

An Account of Mr. Tooke's Maladies — Conversations at Wimbledon — Miscellaneous Remarks.

Early in 1810, Mr. Tooke's various disorders had suddenly assumed such a violent appearance, that his physicians were alarmed, and all his friends supposed his dissolution to be at hand. On this trying occasion, the tender assiduity of his daughters, by administering to all his wants, contributed not a little to soothe his mind and assuage his sufferings. They constantly attended his pillow, anticipated his wishes, and did every thing that filial piety could dictate to alleviate the pressure of disease.

On this occasion, the patient did not seem desirous of prolonged existence; he was actually devoid of that *volition* deemed so necessary to recovery. Frequently urged to exert a wish, at least, to return to life and to the world, he for

a long time persisted in his resolution to die, and seemed to be as fully determined as that celebrated Roman, who declined all manner of nourishment, and even refused to accept of existence when in his option, although pressed and entreated by a near relation *.

At length, however, he appears to have yielded to the entreaties of his friends and relatives; and nature having, at the same time, spontaneously interposed, after a severe but successful struggle, life, which seemed, at one time, to have ebbed nearly to the last drop of existence, now flowed in upon him in a genial current. He prophesied, however, from the first, that the change so much desired, would not prove of long continuance, and considered himself merely as a traveller on a journey †, detained unwillingly and against his better reason, in consequence of the pressing solicitations of others.

* "Quum quidem Agrippa, eum flens, atque oscalans, oraret atque obsecraret, 'ne ad id quod natura cogeret ipse quoque sibi acceleraret, et, quoniam tum quoque posset temporibus superresse, se sibi suisque reservaret:' precesiejus taciturnâ sua obstanatione compressit. Sic quiem biduum cibo se abstinuisset, subito febris decissit, leverioque morbus esse cæpit. Tamen propositum nihilo secius peregit."

Vit. V. Pomp. Attic.

† Non ex vitâ, sed ex domo in domum videretur migrare.

Ibid.

change, and the people would be equally so, because they would care but little how many peers were made, but would care very much for the money to be taken out of their pockets; and there could be no injustice in the case, even considering the seats in the view of private property, because those who did not choose to be lords of parliament, might be permitted to sell the seats to such as did. His grace expressed his astonishment and delight at the suggestion, and mentioned it to Mr. Pitt, who took advantage of it only in part; for he made the proprietors peers, and, at the same time, left them in full possession of their boroughs."

About this period, I received a visit from the author of the "Diversions of Purley," who spent seven or eight hours at my house to the great entertainment and edification of all who heard him. It was produced by the following circumstance:

A female, distinguished for the superiority of her intellects, still more than either her rank or fortune, having devoted her whole life to the instruction of her son, became exceedingly anxious of conversing with Mr. Tooke on this, which of course was a favourite subject, and I was accordingly honoured with the company of both to dinner. After a discussion of some length

on this topic, the philologist concluded as follows: "The whole, madam, may be resolved into a question of common sense; for your ladyship must have observed, that a young man of discrimination, on entering the world, immediately discovers and rectifies the errors of a bad education; whereas a fool is always incorrigible."

The moment he became convalescent, his mind imperiously and incessantly demanded employment. No sooner had the first coach arrived from London, than the newspapers were eagerly sent for. These, consisting of the Times and Morning Chronicle, were regularly read aloud, while his friends occasionally supplied him with others. But this only seemed to whet his inclination for intellectual nourishment; and appeared to be merely used as some epicures do oysters before dinner, who devour them for the purpose of creating an appetite. Books of all kinds were then called for and read in his presence. So incessant was the demand, that the young ladies, to make use of one of his own phrases, "were put in constant requisition;" and as they were unable to undergo such an incessant fatigue, auxiliary aid was at length called in.

Meanwhile, he delighted greatly in grapes, and partook of both English and foreign, to a degree I had never before witnessed. With some of these, his neighbour, lady Rush, frequently supplied him; and he was always accustomed to evince the most grateful remembrance of her kindness. Jars, filled with the produce of the Portugal vines, were, at the same time obtained from the importers in Thames Street; and, when these failed, a whole hot-house be-

longing to Mr. Rolls of Chelsea, was bespoke, purchased, and devoured! The fruits of his garden, also, seemed to contribute not a little to his recovery, and after dinner he helped himself to his own fine *jargonel* pears, with no sparing hand. I was accustomed, during my occasional visits, silently to demand of myself, "what this stomach could be composed of?" and was almost forced to allow, that if there ever was a constitution in which excess might be justifiable, that his was of this description.

MR. TOOKE AND HIS TOMB.

(Copied *verbatim* from a Manuscript Note.)

On October 7, 1810, I rode to Wimbledon—a fine day—about one o'clock arrived at the gate, expecting to find Mr. Tooke in a very dangerous situation, but was told by the gardener, with a smile, that I should be surprised. And I really was so, for, in the course of a few minutes, I beheld him carried by two men servants, to a garden chair placed on wheels, and after he had been duly seated, I went up to salute him and his company.

He expressed great satisfaction at my arrival, and dismissing his retinue, with sir Francis Burdett pulling before, and the Miss Hartes and his nephew assisting behind, we advanced in

procession along a broad gravel walk towards the kitchen garden.

On our arrival there, he desired me to measure the stone placed above a *cenotaph*, for which purpose he had brought two black rods, properly graduated, being such as are used by surveyors. It formed an oblong square or parallelogram, of Irish marble, black, glossy, and *unique*, being the first ever imported into this country; and, on my expressing some degree of surprise, mixed with approbation, at the introduction of this noble block from the sister island, he seized that opportunity to express his respect for Mr. Chantrey, whose zeal, on the present occasion, appeared to have gratified him exceedingly.

The following were the dimensions:

Length .	7 feet 1 inch.
Breadth .	3 feet 6 inches.
Depth . .	9 inches.

It was placed on the top of a tumulus, consisting of a brick vault covered with turf, and erected in that portion of the detached kitchen garden, which is divided by a pretty high wall from the neighbouring common. I understood that it was meant to erect a summer house above it, that the young ladies might

have a view of the adjoining green, so that nothing gloomy should be attached to the spot.

After stating the measure as accurately as possible, he begged me to peruse the inscription, which was as follows:

JOHN HORNE TOOKE,

LATE PROPRIETOR,

AND NOW OCCUPIER OF THIS SPOT,

WAS

BORN IN JUNE, 1736,

AND

DIED . . . . . .

IN THE YEAR OF HIS AGE,

CONTENT AND GRATEFUL.

After I had read the epitaph aloud, he commented on the last line, and testified both his satisfaction at living so long, and his high sense of the Divine goodness in permitting it! We then took a few turns, along the principal walk, and conversed on a variety of subjects. Having returned to the parlour, dinner was soon after announced; it consisted of a turbot with lobster sauce, beef *en ragôut*, and a capon. The liquors were Madeira and Port. The desert, as usual, was excellent, and all from his own

garden; *viz.* walnuts, grapes, apples, Bergamot pears, and imperatrice plumbs. The company, miss Harte and her sister, sir F. Burdett, Dr. Pearson, and myself.

The conversation, both before and after the repast, highly edifying and instructive — the subjects — the origin of the winds — the novelty of chimnies — the new mode of warming a room by steam — (this was pointed out and particularised by Dr. Pearson) — and the goodness and beneficence of the Deity, accompanied with pointed remarks by our host, on the ingratitude of man. He then launched out into a whimsical enumeration of the advantages resulting from pain and illness, such as he himself had been lately subjected to. But on Mr. Robert Burdett's coming into the room, he with great address, and in a very apposite manner, returned to his former subject, and insisted on the wisdom, excellence, and omnipotence of God!

Mr. Tooke, in the course of this day's conversation, observed that he had an elder brother who died worth a great many thousand pounds. No one better knew the advantages resulting from sending *early fruit* to market, for he lived near Brentford, and excelled in this branch of horticulture: but he had conceived a strange project for obtaining *late fruit*, by means of

woodens walls, which, however, did not answer so well as the other!

He was the principal, and, with one or two exceptions only, the sole speaker to-day. The word "*talents*," he observed, was derived from the Roman expression for a coin; *genius* implied something arising out of the perfection of the senses; mental superiority sprung partly from this, and partly from experience, and a knowledge of facts. He insisted, that children argued well, according to the *data* before them, even when the conclusion proved wrong. Our language resembled a harlequin's jacket—it was patched, piebald, and cut from that of other nations, but chiefly the Saxons. He once wished to have composed a dictionary, in conjunction with Gilbert Wakefield, who was to have taken the Greek part of it, in order to show whence the various terms were derived.

He also spoke much about stereotype. Mr. Wilson, the printer, had been with him on this subject; but he considered it, however ingenious, as being a return to the ancient system of *blocks*, and he would not be *blockhead* enough to adopt it in his work. This was succeeded by a dissertation on engraving, and the praise of such artists as excel in it. "Sharpe," he said, "had executed the frontispiece to his Diversions

of Purley, and not only improved the original drawing, but rendered the print superior to the painting."

Notwithstanding his acknowledged learning, so fond was he of the vernacular tongue, that he said he preferred it to all others. The inscription intended for his tomb, was accordingly written in that idiom; thus differing with Johnson, who affected the Latin exclusively, in such compositions, and preferring, with Milton, "our English, as the language of men, ever famous and foremost in the achievements of liberty."

A gentleman proposed to him, that something should be added, so as to evince, in this last act, his attachment to freedom; but he declined any alteration whatsoever.

Among other singularities of this celebrated man, it is worthy of remark, that he not only composed his own epitaph and superintended the erection of his intended tomb, but actually became seriously and alarmingly ill, in consequence of a long exposure to the cold air, on that occasion. This circumstance was evinced by several feverish symptoms, on the day subsequent to the completion of the vault, and thus the cares bestowed by him on its construction had nearly anticipated his dissolution, and made

him an inhabitant of his new mansion several months before his time!

I rode over to Mr. Tooke's in the autumn of 1810, to inquire after his health, as I had heard that he had become dropsical, and was in much danger. I found him, as usual, exhibiting great equanimity. In fine, on this, as on many other occasions, I was ready to exclaim: "I have heard many men talk, but this is the only one whom I ever saw die, like a philosopher!" He told me, with an extraordinary degree of calmness and intrepidity, that at present, the regions afflicted with disease, were the kidneys and intestines.

On approaching the table, I observed a diagram before him, consisting of a human figure; and, looking attentively at this, he pointed out the ducts, with a gall stone, *in transitu*, observing, that this was precisely his own case, during that very moment; and coolly added, "that if the stone did not descend so far, within a given space of time, mortification must ensue, and extinction be the consequence!"

I learned, at the same time, that while his gardener was adjusting his lower extremities, during the course of the preceding night, he gaily observed to him: "these gouty legs, John,

in the course of a very short time, will give trouble to neither you nor me!"

After I had retired, he became worse. When a little recovered, he said to his physician, "I thought that you had left me——I am glad, however, you have staid——I am now doing what you yourself must do some day, doctor Pearson!" On this, sir Francis Burdett, who was present, observed: "I hope you will recover."

"We hope differently——I am now so far on my journey, that I do not wish to return back, in order to proceed again by the same road, a few months hence."

I have been told, that, on this occasion, he evinced an unfortunate dislike to mercury, which might probably have cleared the region afflicted, of water; he however recovered, for nature herself soon after spontaneously produced the precise effect, respecting which, the powers of medicine were in this case but conjectural.

So soon as he was declared to be out of danger, Wimbledon was frequented by his friends as before. An entire new change also seemed to take place in respect to a variety of particulars. His back parlour, in which he constantly resided, was new furnished in a substantial, and even tasteful manner. He reclined part of

the day on an elegant sopha, covered with black leather, and occasionally wheeled himself backwards and forwards in a chair, the machinery of which was managed by him with considerable address: he also wore a fine new suit of peach-coloured cloth, with pantaloons, and appeared to live in great ease and comfort, with every thing around him that wealth could procure, or unwearied assiduity obtain.

The name of the first marquis of Lansdowne happening to be mentioned, he asked a gentleman then present if he knew him?

"Yes; he had visited him in Berkley Square, but not at Bow Wood, where, he understood, he relaxed himself after his parliamentary fatigues, and lived in a very agreeable and philosophical manner. He had formed a high notion of this nobleman, on several accounts. First, when in the prime of life, and in the full career of ambition, he had resigned his office as secretary of state, because the court of St. James's would not act with firmness on the odious and unjust intervention of France in respect to Corsica, followed, soon after, by the invasion, subjection, and annexation of that island; next, he had afterwards declared himself in opposition to the contest with America, and, finally, brought about a politic and well-timed peace

with that power." After some pause, the other observed, " that he knew the noble lord while earl of Shelburne, better than most people; that he had breakfasted with him every morning for three months; and that he had used him ill . .

. . . . . .

. . . . With his late son, lord W., too, he happened to be in company a little before he himself was taken up for treason; and while several were attacking the constitution, he, (Mr. Tooke,) and he alone, defended it! After his arrest had become known, a gentleman happening to meet his lordship in St. James's Street, reminded him of this circumstance, on which he replied: ' Yes, I remember well, he defended the whole plan of government, and the order of nobles, and ought to be supported and protected.' And how did he support and protect me? by setting off for Italy, and thus preventing the possibility of his testimony's being serviceable."

Talking on this, or some similar occasion, relative to the quiet and orderly retreat of the member for Westminster from the Tower, a gentleman present happened to observe, " that timely notice of his intentions ought to have been given to his constituents, in order to have prevented their attendance and consequent disap-

pointment." "No!" replied he, "it was as necessary that they should have exhibited this mark of their attachment to their representative, as it would have been improper in him to have complied with their solicitations for a public procession. As to the main question, I think his conduct was highly meritorious; it has been approved of by all wise, moderate, and discreet men, and be assured, that, in a short time, in this, as on other occasions, all the fools will soon be of the same way of thinking!"

Imprisonment for debt, he observed, was first introduced in favour of the barons, "to enable them to bring their stewards *to book*." Arrest on *mesne* process, or previously to trial, on the simple oath of the plaintiff, originated in a mere fiction of law, and was an assumed power on the part of the courts of justice. The frequent acts of insolvency all tend to prove that this is an impolitic and injudicious connivance; but it was no less strange than true, that all the great law lords, with one only exception *, constantly "bristled up" whenever the earl of Moira, with his usual goodness and humanity, proposed a general statute for the relief of insolvents. As for the present system, it was culpa-

* Lord Erskine, perhaps.

bly and flagitiously wrong, being calculated to give a legal form to fraud; and to confine the means of oppression to the rich, the profligate, and the unjust. In fine, it operated as an illusory satisfaction to the injured, contributed to the ruin of innocence, as well as the triumph of guilt, and was essentially beneficial to none but marshals, turnkeys, and attornies.

While speaking of the present times, he observed, that the depreciation of the currency was but little felt by the labouring classes — the price of labour constantly rising with the depression of the circulating medium. Widows, old maids, bachelors, orphans, capitalists, stockowners, mortgagees, and those who lend money on interest, were the principal sufferers. In its last stage, it operated powerfully against the morals of the people, to the utter exclusion even of common honesty. In some cases it became another name for an Agrarian law, for the *legal tender* of a depreciated paper, peaceably effected in America that community of wealth, or rather of poverty, for which the Gracchi had bled at Rome.

Mr. Tooke praised Elizabeth more than I thought she deserved; and, on being reminded of her base, cruel, and unjust conduct to Mary, queen of Scots, artfully eluded what he could

not justify. He observed, that he had no manner of objections to a female reign, which was generally productive of such men as the Cecils and Marlboroughs; whereas in France, where women had been excluded from the throne, in virtue of a pretended law of the Salii, "the country had been governed for nearly a century by pimps and prostitutes!"

Finding his feet in flannels, one of the company, on his arrival, complimented him on this promising appearance, as "the gout was an undoubted sign of wealth." To this he replied, "that it was like many other *signs*, exceedingly false, for his first fit occurred when he was poor, a prisoner, and with a rigorous sentence suspended over his head!" A gentleman, desirous to learn why all ridiculed the distemper, and scarcely any one felt, even for a friend, when subject to this malady? it was mentioned, by somebody, that Adam Smith, in his "Theory of Moral Sentiments," had observed, "that pain never calls for any lively sympathy, unless when accompanied with danger; because we sympathise rather with the fear, than the agony of the sufferer." To this, Mr. Tooke, although seemingly very uneasy, from pain, replied, with a smile: "I wish this same Scotchman had been stuffed into my skin for the last twenty-four

hours, and then he would have discovered that it is not the *fear*, which may be childish, but the agony, which is assuredly distracting, that entitles any one to sympathy."

Mr. Tooke, towards the conclusion of the evening, traced the era of the doctrine relative to "hereditary right," up to the accession of James I, whom he termed "a man, but never a king," and was accustomed, with lord Bolingbroke, to consider him as an "anointed pedant."

On the name of Bacon being mentioned, I expected to hear his character attacked, as no one had ever been a greater time-server or more obsequious courtier — circumstances which assuredly disgraced, although they could not obliterate his extraordinary talents.

I was astonished, however, to find Mr. Tooke advocating the cause of this celebrated chancellor. His judgments, in his own court, he observed, were always dictated by equity, and never once complained of. The accusations against him were minute, frivolous, and vexatious; while his sentence, "to be rendered for ever incapable of any place or employment, to be precluded from sitting in parliament, or coming within the verge of the court; to be fined forty thousand pounds, and remain a prisoner in

the Tower during the king's pleasure," was incommensurate with, and far exceeded his supposed offences. The sums stated to be received, not by him, but by his servants, were presents under the name of *fees;* and the judges and chancellor, at this moment, took perquisites, under the names of fees also.

Formerly, indeed, they were on a different footing; justice was much more pure now between party and party than heretofore; for, at Christmas and Easter, certain customary *compliments* were regularly paid. The same prevailed in the French courts of justice before the revolution; for there, the *rapporteur*, who drew up a summary of the cause, was *spiced* *, and it was not uncustomary to send a handsome woman with a nosegay, a thing become so common at length, that a name was affixed to it, which proved its frequency—such a lady being denominated a *solliceteuse*, or female solicitor.

He believed the truth was, that all the judges in France considered themselves entitled to *epices* before judgment; whereas in England sums were exacted by the officers of the chancellor, in his name, for seals, &c. after it.

It was observed, on the other hand, that it

* *Les epices.*

had been proved, in full parliament, that the menial servants of Bacon had taken money, and with his privity: that his punning reply to his domestics the day after his disgrace, when they arose as usual on his entering the hall, "sit down, my masters; for your *rise* has been my *fall*," seemed to indicate this, setting direct proof aside; that his ingratitude to the earl of Essex, who had generously presented him with the manor of Twickenham, because he had failed in a suit to Elizabeth for his preferment, and whom he afterwards persecuted with a degree of violence

. . . . . .

"I thought we were talking of corruption . . . . . look narrowly into this business, and you will find that his sentence was never executed — that he was afterwards summoned to parliament — that he was chastened, as may be seen by his latter writings, by adversity, and that the whole charge must be allowed to have been of a very equivocal nature, for it originated in a court intrigue, during bad times."

On another occasion that occurred a few days after, the conversation happened to be directed towards the origin of nations. This naturally led to a consideration of the acknowledged antiquity of Asia, and the political effects produced by its peculiar geology and geography. My host ob-

served, that its fruitful and extensive plains had proved a curse instead of a blessing, as they exposed the inhabitants to the cupidity of every conqueror, and the despotism of every ruler, whether nabob, rajah, mogul, or emperor. The servility of nations, he added, was always greatest when the secular and ecclesiastical powers were united in the same person, as no degree of absurdity then appeared too gross or too surprising: had Herodotus told us of a boy-god, surrounded by a troop of priests, who sold pastils, composed of his excrements, to his blind and infatuated worshippers, who purchased and even devoured them, would any one have given credit to the father of history? And yet this was notoriously the fact in respect to the Deli-Lama, to whom Mr. Hastings had sent a splendid embassy!

The barren mountains of Europe were favourable to the genius of the people; their coldness produces health; their sterility requires industry — both eminently advantageous to the expansion of their corporeal and mental faculties. No greater curse could attend a nation than spontaneous and unearned productions!

Commerce was, at first, friendly to liberty. This was evinced by the early history of the Venetians, the Genoese, the Pisans, and all the na-

tions of Italy which happened to possess dominions on the shores of the Mediterranean, or the Adriatic. Great companies, too, when trade was in its infancy, might be advantageous, nay necessary; but, in a certain stage of society, they were dangerous, and always servilely leaned towards that power, by which alone their monstrous monopolies could be supported. Even within his remembrance, commerce had changed its character and complexion. He could recollect when a merchant was a great, noble, and independent character, with somewhat of the stuff of the Greshams and the Barnards, of a former day, in them! They were strangers at court, and fiercely jealous of a minister: it was partly to the merchants of London, that we were indebted for the revolution; they helped to bring in the family now on the throne; and they evinced their zeal in its behalf on the breaking out of the rebellion, in 1745.

But at present their character was entirely changed; they had become fond of titles; they repaired to court; they frequented the levies of the great; they sighed after knighthood and the baronetage: a banker had been actually made a peer! Their character, as a body, too, was altered in other respects; in his time, the cry, the clamour, was always for peace! peace! This

was natural indeed, as they profited by it then; but it was otherwise now, for the howl was for war! war! and, to his utter astonishment, he had heard, that, on the renewal of hostilities, three distinct huzzas had been uttered at the Royal Exchange. He suspected, that their chief trade, at this moment, consisted of contracts, demurrage, loans, and discounts! What must all this end in?

The influence of the crown, in the language of his old friend *, "had increased, and was increasing;" and, notwithstanding appearances, he thought, that it not only "ought," but would, one day, "be diminished;" for the people, at large, only wanted to be better informed: there had been, and he believed there still was, a large portion of sound sense distributed throughout the nation; he had twice or thrice tried to arouse this, and constantly succeeded. On these occasions, the press was the most potent engine . . . . . but, at present, it was either converted to the purposes of power or of party. This was evinced, in an eminent degree, by the newspapers . . . . . He had, once or twice in his life, set up a newspaper, for the sole purpose of opening the eyes of the people; but he found

* Mr. Dunning, afterwards lord Ashburton.

this a hopeless task: for, if unsuccessful, he was obliged to pay for the want of success; and, if prosperous, it was constantly bought off! He had now some doubts, whether they did most good or harm; certain he was, that there was no greater enemy of public liberty than a venal press.

One circumstance was not a little surprising: this was, that all the writers, reporters, &c., appertaining to the daily publications, were, to a man, in their hearts, friendly to the public cause; and were only prevented by the opposing interests of their employers, from declaring loudly in behalf of it. They had now become a most formidable body; it was the terror of them alone, that kept the gallery of a certain assembly open — to such as chose to pay for permission to enter! They had lately some dispute with George T——, whom he well knew, and had determined, one and all, not to take notice of any thing he said in the house; which, as he understood, mortified him not a little; and, indeed, almost reduced him to silence; for who would speak to the members only?

In consequence of a question relative to a celebrated barrister, he observed, that, in the infancy of establishments, and at all great public

crises, the gentlemen of the *long robe* distinguished themselves on the side of liberty. This was evinced in a peculiar manner, during the petty disputes that agitated the little republic of Geneva, as well as amidst the far grander events of the American revolution, when Randolph, Adams, and a crowd of young lawyers stepped forward; and, while one party put arms into the hands, these put arguments in the mouths of their countrymen. As to the English bar, it had experienced a kind of *gangrene* of late years; but he recollected Norton, and Dunning, and Glynn; whom had we now to equal them?

On being reminded of a great, able, and intrepid lawyer, he observed:

"Yes, I must allow that sir Samuel possesses much merit and intrepidity; — he is truly a respectable man, and, I verily believe, has been always uniformly the same — but both Romilly and Erskine are singular men; and, while I quote the rule, you bring forward the exceptions, which is a fine way of arguing truly!

He then lamented greatly, that, during some recent adjustment with the judges, all fees and emoluments whatsoever, had not been cut off, particularly the patronage exercised by two of the chief justices over the jails under their immediate jurisdiction. He was not for a nig-

gardly compromise, but a liberal remuneration; and, while on this subject, he again mentioned the difficulties which the earl of Moira had experienced, on all occasions, from lawyers of every description, when he advocated the cause of the unhappy debtors. He afterwards delivered an eulogium on the talents and humanity of this nobleman; "whose head and heart were both too good to be suffered to rule this country."

A gentleman present having observed, that he had been that day at the Exchequer, when a woman was suffered to give evidence against her own husband, in a revenue cause, contrary to the principle laid down by all the other courts, "that any person who could not be heard for, should not be heard against another:" he instantly testified his indignation; and, during the discussion of both this and the former subject, made use of some severe expressions, which I decline to insert.

In the course of the evening, the conversation turned on the degree of liberty enjoyed by the people during the middle ages. On this occasion, he launched out into well-merited encomiums on the trial by jury and the system of representation, both of which appear to have been peculiar to the northern nations. But, in the portion of happiness and freedom attributed to

the great majority of the people, I could by no means agree, as they were actually slaves, being either *villeins regardant*, or *villeins en grosse*. Who, in our days, from the spirited and manly opposition of the house of assembly of the island of Jamaica, to every invasion on the rights, privileges, and property of the planters, would infer, that the black inhabitants were happy, free, and independent? And yet it is evident, that the landholders only, among our ancestors, were in the condition of *whites*, while the peasantry, long after the Norman conquest, appear to all intents and purposes to have been *negroes!*

In 1810, Mr. Tooke told me, with a smile, that he intended to make me one of his heirs! He then, in a strain of jocularity observed, that he had determined to part with all his property before his death. — Sir Francis was to have his library; and he intended to present me with a copying machine, which had been given him by Mr. Bolton, a very ingenious man, of great mechanical abilities, who had *retained* him concerning the patent for it. He added, that if he left his friends any thing by will, they might be exposed either to the customary operation of the old, or the penalties incident to some new legacy tax; for money would be soon wanted, and there

was no knowing how to elude fiscal rapacity, but by an immediate distribution.

Accordingly, in the course of a few days, a man, accompanied by a horse and cart, brought me the *legacy*. On returning thanks, I received the following note:

"*Wimbledon, October* 22, 1810.

"DEAR SIR,

"I am much obliged to you, and think you "honour me by your acceptance. I hope the "machine and mahogany table came to you "safe, and am very truly

"Your affectionate humble servant,

"J. HORNE TOOKE."

"My secretary takes this opportunity of pre- "senting her compliments and her sister's to "Mrs. S."

The following is the last letter I ever received from Mr. Tooke.

"*Wimbledon, October* 3, 1811.

"DEAR SIR,

"I received most punctually the catalogue, "and am much obliged to you for it. I receive "(with much cordiality) your kind offers of ser- "vice; and will certainly avail myself of them,

" *quando dignus vindice nodus.* Do not forget " to make all our compliments acceptable to " Mrs. S. &c. I am, dear sir,

" Your faithful humble servant,

" J. HORNE TOOKE."

An incident that occurred about this period is highly deserving of notice, as it evinces the public spirit of Mr. Tooke towards the close of his existence, and is eminently characteristic of his temper, disposition, and habits, throughout the whole of his life. About a twelvemonth before his death, a demand was made on him by a tax-gatherer for fourpence-halfpenny, under the denomination of " tenantry," in the annexed bill, which I have carefully transcribed with my own hand from the original :

" 29th May, 1811.

" JOHN HORNE TOOKE, ESQ.

" One half year's property . .			
" Himself	3	11	0
" *Tenantry*	0	0	$4\frac{1}{2}$
" Stamp	0	0	2
	" £.3	11	$6\frac{1}{2}$"

Being unable to account for the third article, which was a new charge against his freehold at Wimbledon, and making it a point to act with

a scrupulous *punctilio* in every thing concerning taxes, he demanded an explanation from the collector, and was told that it respected the tithe of 1*l.* 11*s.* 6*d.* to the clergyman. Still more dissatisfied than before, he insisted on being made acquainted with the precise grounds of a novel impost, thus attempted to be levied without the authority of an act of parliament? On this it was replied, "that he and the rest of the parishioners of Wimbledon had agreed with the rector, either according to a *modus*, or a composition; they of course, therefore, rented their tithes, and must pay accordingly, as was customary with tenants.

It was in vain that Mr. Tooke stated the dissimilarity of the two cases; that he insisted on the injustice of an illegal, and the impolicy of a forced levy, which would redound to the discredit of a government that never did, and never possibly could countenance such an unauthorised demand: the only rejoinder he was able to obtain was, "that the charge in question had been made by the express privity, consent, and orders of his majesty's commissioners."

This now began to assume a formidable shape. It was exactly one of those public questions which the subject of these memoirs had ever been desirous to agitate throughout the whole

course of his life! The demand of *fourpence halfpenny*, considered in a pecuniary point of view, was too contemptible for a moment's hesitation; although this circumstance alone, with a *moderate* and *prudent* man, would have operated as an insuperable objection to all cavil or altercation. But it was far different in respect to the person now applied to. He immediately contemplated it in the light of a national concern: an unjust charge, affecting not one solitary individual alone, but almost every proprietor and occupier of lands in the kingdom; and, above all, as calculated to levy a new tax, amounting to several hundreds of thousand pounds, without authority of the legislature. He accordingly deemed a resistance not only proper, but highly meritorious. It was the refusal of a paltry demand, that, while it ennobled the efforts, and gave lustre to the character of John Hampden*, towards the middle of the 17th century, exposed the illegality of that vexatious tax called ship-

* "Had Mr. Hampden," observes a celebrated writer, "reasoned and acted like the moderate men of these days, instead of hazarding his whole fortune in a law suit with the crown, he would have quietly paid the twenty shillings demanded of him, the Stuart family would have probably continued upon the throne, and, at this moment, the imposition of ship-money would have been an acknowledged prerogative of the crown."

money; and although now become aged and infirm, Mr. Tooke determined, at the beginning of the 19th, not to tolerate an impost, which was, in his opinion, equally unconstitutional. He accordingly paid all the demands against him with his usual punctuality, this only excepted, respecting which he set the collector at defiance, desiring him to distrain at his peril. The latter, who was a very civil man, residing in the village, returned a few days afterwards, and looking about for what might prove least incommodious to the family, seized on a tea-chest, which happened to be the property of miss Harte. This, however, on mature deliberation, was returned before any steps could be taken to *replevin* the property, and try the question in a court of justice. But the effect was not lost. A lady of quality in that neighbourhood, on hearing of the rejection of this demand on the part of a man so well skilled in the laws, immediately refused to comply with a similar demand; the rumour was soon circulated throughout the whole parish, and in the course of a few days, nothing short of a general levy could have enforced this extraordinary surcharge.

I have been told, indeed, that the commissioners were angry that the trial should have been first made on such a man; but I am ra-

ther inclined to think, that the whole business originated in the error of some inferior department; and that these gentlemen would never have either risked or sanctioned such an odious measure. Could it be possible for them to have done so, most assuredly a more improper person, to make the experiment on, could not have been selected in the vicinity of the metropolis.

I dined at Wimbledon with Mr. Tooke, on January 19, 1811. Sir Francis was there — and our host, as he had often done before, advised him to resign — Mr. Tooke's legs filling with water, which increased towards bed-time. He spoke of his approaching end with calmness and resignation — compared his present state to a journey — said that he had arrived at a new stage — would soon get to another, and he added gaily, "that he should die upwards, exactly as he had always wished; so as to be left in full possession of his senses to the last."

I apprehend, that the idea of dying upwards, by which he meant that the distemper would prove fatal as it extended from the extremities, was allusive to what Swift once said of himself, when looking at the top of a tree, which had been blasted by lightning, and who thus indicated that he expected to *die downwards*, and be

first deprived of his understanding, as actually occurred.

In the course of this day I saw two busts, by Chantry—one of sir Francis Burdett, a good resemblance; the other of Mr. Tooke, as an old man, wasted by sickness, with a night cap on his head — totally unlike his former self — but *fearfully like* him at the present moment.

He spoke much to-day on a favourite subject: "There were two forms of government — the Stuarts had tried one — *dragooning* — and failed. The other was *influence:* both ended in tyranny. Influence soon degenerated into corruption—corruption at length exhausted its own means — fear was then substituted; or perhaps, to a remnant of corruption, was superadded an accession of fear — these failing, terror was substituted, and terror, as all knew, was but another name for tyranny."

On being asked why despotism constantly predominated among the oriental nations? he observed, "partly from the abject superstition of the people, and partly from the spontaneous productions of the soil — Europeans were free, from contrary causes."

Happening to be at Wimbledon, Sunday, 23d of March, 1811, I saw his legs dressed by Mr. ————, the surgeon and apothecary of

that village, and spent the whole day with Mr. Tooke, in company with the young ladies and his nephew. He expected the Drs. Pearson and Davy, to dinner, as well as Mr. Chantry, who was to be employed on a bust of the latter for him. — A most agreeable day — and a variety of subjects started, discussed, and seemingly exhausted, by our host.

On my return from a walk in the garden, I found him correcting his own copy of Shakspeare, and adding marginal notes. He told me, that he was very fond of this great bard, and had been uniformly so from his infancy. He had read his works when only seven years of age, even before he could understand the signification of the word *avaunt!* which then struck him with a kind of awe, and seemed to imply something very terrible.

He then talked of the late Mr. Tooke, and observed, "that he had got by him, first and last, exactly eight thousand nine hundred pounds, a great part of which (I am at a loss as to the precise sum) he paid to sir Francis Burdett, for annuities to his daughters, &c."

I again saw Mr. Horne Tooke on the 25th of September, 1811. I found him sitting at a window, with a paper book before him, and understood he had been writing notes on Shakspeare.

He readily wheeled himself about, in a handsome black chair, like those used by the invalids at Bath, which had been lately presented by Mr. Jones Burdett. He afterwards sat down to table with us, and partook of dinner with the utmost cheerfulness.

In the course of the afternoon he asked me, if I had not lately visited Edinburgh? inquired about the Scotch literati; and entered on a variety of miscellaneous subjects, supporting the conversation with great cheerfulness and animation.

On some allusion being made to a delicate subject that at this period engrossed the public conversation, he observed, "that he was privy to the whole transaction; and that he had gone, about five years ago, to Mr. ———'s chambers, where he lay, during a day and night, on the sofa, while a neighbour of his reposed on the carpet, until a communication had taken place . . . . . After commenting, for some time, on a matter which I decline insisting on, from a variety of reasons, he became very facetious and diverting. He spoke freely of "Jacobins," "levellers," and the disaffected in general — all the prophets, he observed, might be classed under the last of these denominations, particularly

Jeremiah, who was notorious for complaining of *hard times;* in short, all these were libellers, and nearly all perished by violent deaths, except Daniel, who was thrown into the den of the attorney-general, and escaped merely by a miracle!"

From the present attorney-general *, he was told, he might *not* have escaped so easily.

One of the company here observed, "that sir Vicary was very violent"——— "He was my counsel, and knew nothing of the law of treason, as he confessed to me, when I first employed him; but he soon obtained a masterly notion of the subject, and did me ample justice ——I never can, I never shall speak ill of him!"

The fair sex having become the topic of discourse, Mr. Tooke observed, "that ugly women were to the full as amorous as handsome ones, although the world did not believe it, and made but little allowance for the sighs that issued from the bosom of deformity!".

The conversation, as usual, embraced a variety of important and interesting subjects. In the course of the day, the philologist of Wimbledon entered on an historical detail relative to

* Sir Vicary Gibbs, now a judge.

the state of Europe. He commenced at the earliest periods, when human societies, which then flourished in Asia, were in their infancy among us. The dominion of the Romans made a great and beneficial change; they were a polished and enlightened nation, and, after carrying theirconquering eagles into the east, had subdued and instructed the barbarians of the north.

On their retreat, to defend the body of the empire from the incursions of the neighbouring tribes, new forms of government sprung up; but it was reserved for the nations on the shores of the Mediterranean to exhibit the first *germe* of modern civilization. The chief epochs were, the crusades, the reformation, and the French revolution. The first was undertaken chiefly for the purposes of plunder, and encouraged by the policy of wise princes; they thus got rid of a troublesome nobility, who spent their estates, and exhausted their valour, by these distant expeditions. As to the second of these, it was chiefly produced by the labours and intrepidity of a single man; a single man, too, had been highly instrumental in respect to the last of these periods; he possessed all the qualities of a great genius—he was truly a hero *.

* If by the term *hero*, Mr. Tooke meant a great warrior, I agree with him entirely; for surely modern times have pos-

. . . . . .

. . . . . .

Mr. Tooke concluded the evening by conversing on his own affairs. He mentioned that he had left the church, and embraced the law, at the persuasion of Mr. W. Tooke, who had made him most ample promises, all of which he faithfully intended to keep, but was deterred by avarice. To induce him to throw off his gown, he had presented him with a bond, which was still in his possession. He then alluded to a late decree of the chancellor in his favour, with which he seemed exceedingly well pleased.

sessed few more accomplished or more successful generals. But if by this expression is meant according to the definition of the ancients, the *benefactor of his country*, I cannot acquiesce. Cromwell, also, was a great warrior, although on a smaller scale; but could he be termed a hero, after he had dissolved, by military force, the form of government to which he had sworn allegiance, and divided England into districts, each under the command of a major-general. The splendour of foreign conquests can never compensate for the loss of domestic freedom; and I am always indignant at the praises lavished on successful tyranny, whether it be in favour of Muly Ishmael, or Napoleon the Great.

It strikes me also with wonder and astonishment, that those who advocate the cause of reform in England, should ever mention, without horror, the name of this man, who appears to have fresh rivetted the chains of tyranny on his adopted country, after they had been loosened by the revolution.—I always lamented to behold his bust at Wimbledon.

I find that I again repaired to Wimbledon, by invitation, on Wednesday, the 5th of February, 1812, being fast-day, and dined with the miss Hartes, Mr. Tooke's nephew, and Mr. Dickinson, a gentleman in the commission of the peace for the county of Berks.

While seated at table, a glass globe arrived by the coach. It was intended to be used with an *Argand* lamp, in the shape of a column, that stood on the mantle of the marble chimney-piece, a model of which had been recently obtained from France. A celebrated barrister, as I have been told, was the contriver of the design, which was executed under his own inspection. The chief figure consisted of a painted bust of the prince regent, dressed in blue; among the hieroglyphicks, which I did not entirely comprehend, were a hand and sword, the latter at some distance. Below was a motto, professing allegiance, if faithful to the constitution, and hatred, if treacherous. A certain gentleman, not then present, had assured me, a few days before, "that his royal highness was with them!" which, in some measure, explained not only the allegory, but also the origin of the compliment.

Mr. Tooke partook of some cod-fish, with considerable appetite, observing gaily, at the same

time, that " his cook had at length taken his advice, and steeped it in some warm water, to take away the salt, during the preceding night." He drank some white wine, and was cheerful, although the water oozed all the time from his legs, and the housemaid came in frequently to wipe it up with a towel! He informed me, that he had hired a footman to attend on himself alone; and begged some one to inquire after a handy chambermaid; " although," added he, " I am determined to be a kind master no more!"

The conversation was miscellaneous; and our host chiefly entertained us by a variety of remarks, from four to eight o'clock in the evening. While speaking of money, he observed, that the denomination of *sterling*, proceeded from the easterlings, (the merchants of Hamburgh, Lubeck, Bremen, &c.,) who were formerly accustomed to bring the precious metals into England.

He mentioned Wilkes without any resentment, and added, " that, on former occasions, the friends of liberty were but few in number, but that, notwithstanding appearances, they were now numerous and opulent, and only wanted to be stimulated. When in the King's Bench, for an attack on the authors of the American war, he first took to wine, and drank a bottle of

claret a day. The claret was a present from a friend.

He was fully conscious "that he should die as soon as the running from his legs ceased; but although an ichor had distilled, that was of so caustic a nature as to eat away his toe nails, yet life was still tolerable; nevertheless he was ready to depart, for he had enjoyed a full draught, and a due portion of all its blessings."

On taking a ride to see him one forenoon, about a twelvemonth before his death, I found him earnestly perusing a quarto volume, and occasionally employed in making notes, having pen, ink, and paper before him for this purpose. He told me, that "it was professor Stuart's last work," and added with a smile, "I have got a rod in pickle for him;" by which I conceived that he was busied in preparing a reply to the observations of that gentleman.

But notwithstanding the occasional liveliness of his conversation, and the actual melioration of his condition, his medical attendants were still alarmed for the fate of their patient. They were of opinion, that his life was still precarious, and one of them actually prognosticated, that he could not survive a relapse.

Notwithstanding, Mr. Tooke, until within a few years of his death, exhibited the appearance of a robust frame, occasionally exerted a consi-

derable degree of activity, and evinced all the usual symptoms of health; yet it is well known, that he had been long subject to disease. And it is not an unfair deduction, that but for his very temperate, nay abstemious mode of living, during his youth, he would never have survived so many of his contemporaries, and attained the patriarchal age, at which he fortunately arrived. While a school-boy, he was afflicted with a complaint in the *rectum*, which continued during nearly the whole of his life, occasionally producing great pain and anxiety. It is not a little remarkable, however, that it became less intolerable during the last three years of his existence than at any former period; having been alleviated, in a great degree, on the appearance of the malady which proved mortal. And it is not unworthy of remark here, that on his first alarming illness the excellence of his constitution was demonstrated in a very remarkable manner, for, at a period when death seemed to be inevitable, and nothing short of a very extraordinary and unexpected interposition could possibly save him: this, actually occurred, for the morbid integument, which threatened a mortification, actually came away, and he instantly recovered!

Long before this, in the year 1790, he was also attacked with another complaint; and I am

now happily enabled to gratify the curiosity of the reader, by the following authentic account, which I have chiefly derived from conversations with an eminent physician, for whom he entertained a very high opinion; and as the authenticity is unquestionable, and the narrative itself wholly divested of technical terms, I shall most readily insert it in this place.

Mr. Tooke's figure was robust, and, in point of stature, of the middle size. But, although apparently well calculated for powerful muscular exertion, and enjoying strong general health; it is however well known, that he laboured under a local affection from early youth, which proved extremely inconvenient. This consisted of a difficulty of performing one of the functions of nature, which obliged him to have recourse to a peculiar management, in order to transact business without interruption, or engage in the usual amusements of life. His natural disposition rendered him fond of company on one hand, while the high gratification arising out of his society, made others eager to court his acquaintance; and from an union of these causes he was frequently induced to mingle in convivial parties.

He did not, however, in general, indulge to excess in the pleasures of the table; and if he did so occasionally, many subsequent days were spent soberly, and often abstemiously. Hence none of his disorders during life were the effects of intemperance. He had, indeed, some attacks of the gout in his lower limbs, although not very severely or very frequently. Yet they contributed to produce general swellings of the feet and legs, during the last eight or ten years of his life.

He was accustomed to observe, in his usual jocular manner, that in one of the earliest fits of this disease, although attended by his physician daily, yet he continued to conceal from him that he had omitted to take his prescriptions for some time. The doctor, being at length astonished that none of the effects expected to be produced had occurred, more especially as the doses had been gradually increased, exclaimed, "this is very extraordinary! are you sure you have taken all your medicines?"

"Not one!" replied the patient, "but I mean henceforth to comply;" and accordingly, from that moment, he always took regularly whatever was ordered, repeatedly promising, "that he would never die until the doctor gave him leave."

Another complaint, about twenty-two years before his death, greatly alarmed Mr. Tooke, in consequence of the apprehension of its being calculated to render the remainder of his life miserable in the extreme, from the pain to which it would necessarily subject him. He was however assured by his physician, that it was not what he supposed, but merely a *hydrocele*; and he, at the same time, advised him not to undergo any surgical operation until it should become absolutely necessary in a farther stage of the malady; but in the mean time, he might take the chance of its disappearing spontaneously; which actually occurred some years before his death.

In 1794, while confined in the Tower, Mr. Tooke's health suffered generally, and the complaint first alluded to increased greatly, so as to affect certain of the passages; but his pleasantries and sallies of wit never forsook him even for a moment. He was then attended by Dr. Pearson, Mr. Keate, and Mr. Cline; and on hearing them one day speak of the attention to be paid to the neck of the organ affected, he said gaily, "I am much obliged to you for your kind care, in respect to that particular part, and I will thank you to extend it to another *neck*, no less valuable, and no less in jeopardy!"

On his return to Wimbledon, after his long confinement, Mr. Tooke enjoyed good health for some years, with an exception to two or three attacks of an acute and painful disorder, arising from gall stones. At length, about the year 1807, the affection first alluded to, and which was now considered to be irremovable, began to afflict him again; however it was subdued for the present, but recurred once more in 1808, and in the autumn of 1809, seemed apparently insuperable. His vigorous constitution, however, did wonders for its own preservation, and, when all seemed to be lost, a grand effort was made, by which an obstruction was removed, that had probably been accumulating for above half a century. Nor is this all; for the complaint under which he had laboured during the greater part of his life, for the remainder of it subjected him to little pain, uneasiness, or apprehension.

The patient, however, had now become aged, having already exceeded the days usually assigned to man—more than threescore years and ten—while, in addition to this, the infirmities arising from swelled legs produced a sedentary life. Yet, all things considered, his health, at such an advanced period, must be allowed to have been good; and Mr. Tooke him-

self was accustomed to observe, that he spent some of these latter years most happily. To this, the continued intercourse with a few friends, together with the constant assiduity and attentions of his two affectionate daughters, contributed not a little.

About a year previously to his death, the lower extremities, which had become dropsical, required more attention than Mr. Tooke would always allow to be bestowed. The power of his constitution to preserve itself, was not, however, as yet, by any means exhausted; this was manifested in the spontaneous rupture of the skin, so that a large quantity of water was drained off, while a good deal had been absorbed. Meanwhile, the vital organs of the trunk were sound, and the splendid faculties of the mind not only still remained in full force, but occasionally burst forth with additional lustre. At length, however, as might have been expected, the pressure of disease produced a certain degree of peevishness and irritability, which, in the progress of time, increased to such a pitch, as to prevent due care from being taken of the lower extremities.

The pain occasioned by the dressings, which were usually performed with great care and assiduity, by Mr. ———, of Wimbledon, was

unavoidable, in the inflamed state, superinduced by the disorder. The neglect of himself, in this respect, during the winter of 1811-12, produced serious consequences. Even these, however, were merely local, being confined to the legs and feet, until a few weeks before his death, which proceeded *directly* from irritation and mortification.

Notwithstanding the alarming appearance of his disorder, it is apparent, however, from the following note, addressed by one of the family to a medical friend, that Mr. Tooke had not lost his appetite.

"*Wimbledon, Feb.* 11, 1812.

"We are extremely sorry to hear you are not "well; pray make haste and be well, that you "may come and see us, for, indeed, you are in "high favour both with the parlour and "kitchen.

"I believe the only difficulty is concerning "*sufficient sleep.* Our patient, (or rather im-"patient,) is wonderfully well—eating plenty of "rich soup instead of coffee; in the course of "the day, six dozen of large oysters, with wine, "ale, imperial drink, milk, tea, muffins, and "the juice of sixteen oranges; and on Sunday "he drank the juice of twenty-eight! I wish

" you would tell me what his *stomach must be*
" *lined with*; I think it must be *gold*.

" Adieu, that you may soon be well, is the
" anxious wish of

" Yours, &c."

The above letter forcibly demonstrates the entire state of the organs of digestion, until within but little more than a month of his demise; and it is but reasonable to conjecture, that the valuable life of this great man was capable of being protracted many years, but for the neglect already alluded to, which can only be attributed to himself. He could not be prevailed upon to submit to the painful and sometimes tedious operation of dressing his legs, and notwithstanding life did not seem displeasing to him, yet he perhaps shortened the span of his existence by declining the means necessary to its preservation.

As I did not take any notes after this period, I shall here insert a few miscellaneous facts and observations, which I collected at different periods, but have been unable to arrange under their specific dates.

To Mr. Arthur Murphy, Mr. Tooke entertained a rooted dislike during the whole of his

life. When the subject of this memoir had interested himself in the trial of the Kennedys, for the wanton murder of a harmless and inoffensive man, on Westminster bridge; and, notwithstanding the king's pardon at the intervention of the titled paramour of their sister, a noted woman of that day, hoped to obtain justice by the extraordinary measure of an "appeal of blood," this gentleman stepped in between them and the laws. The widow Bigby, the nominal prosecutor, was tempted by him, with a sum of money, to desist; and, after some hesitation between duty and avarice, actually accepted of three hundred pounds, which had been offered her in paper, on condition, that, to prevent the risk of forgery, *the bank notes were converted into gold!*

He also accused Mr. Murphy of going to a common friend, immediately before his own trial for treason, with the express intention of inducing him to withdraw his support, under pretext, "that a plot had actually existed; that the proof was complete; and that Tooke, and all his associates, would assuredly be executed!"

He told me, that, at one period of his life, he frequently attended the playhouses; and, as he had witnessed the performances of Garrick, and all the great actors, during the Augustan age of theatrical exhibitions in this country, it

is but little surprising, that he should have rather undervalued our modern heroes and heroines. He was desirous, however, on the appearance of the *modern Roscius,* to see him; and an interview accordingly took place at Dr. Pearson's. Mr. Betty afterwards visited him at Wimbledon, when great indignation was expressed by his host, at the officious alterations in the text of Shakspeare, by the commentators. He seized this occasion to designate several pretended emendations, proceeding entirely from the ignorance of the editors.

Among others, the verses in Macbeth, commonly recited thus:

——— if trembling, I *inhibit thee*
Protect me; the baby of a girl——

Instead of,

——— if trembling I *inhabit then;*
Protect, &c.

Young Betty, on the first representation, subsequently to this interview, recited the text exactly after the manner indicated by Mr. Tooke; and I have been assured, that Mr. Kemble soon after did the same. His guest, indeed, was particularly attentive to Mr. Tooke's admonitions; more especially, how to manage so as to produce the greatest possible effect in regard to the

quarrel in Douglas; and, it is but fair to add, that his entertainer, on the other hand, expressed a high sense of the genius of the boy-actor.

It has been observed, in another place, that Mr. Tooke, from his childhood, had conceived a high opinion of Shakspeare; and there is some reason to think, that it was the last book opened by him anterior to his dissolution. There can be no manner of doubt, indeed, but that the text of the immortal bard was the last subject that occupied his literary labours.

He was not only an admirer, but actually a devotee in respect to him. He regretted, for many years, that a new edition of the first folio had not been given to the public, as this was the text most to be relied on. Talking one day on this subject, at a dinner party, consisting of men of letters, Dr. Raine not only approved of the idea, but proposed a subscription, by way of forwarding the undertaking; and, it is said, we are indebted to this incident for the publication which has since taken place.

It was, however, less as a poet than a moralist, that he seemed to delight in Shakspeare. He accordingly contemplated this great bard as one intimately acquainted with the inmost recesses of the heart of man, and familiar with the springs of human action. No work, in his opi-

nion, was better calculated to teach the duties of private life; and, disagreeing as he did, on other occasions, with Dr. Samuel Johnson, yet he was ready with him to allow, "as it was said of Euripides, that every verse was a precept; so it might be said of Shakspeare, that his plays are filled with practical axioms and domestic wisdom; and that a system of civil and economical prudence may be gathered from them *."

In proportion to his admiration of Shakspeare, Mr. Tooke entertained great ill-will to those who had encumbered his text with their notes, Mr. George Steevens only excepted. He evinced a mortal dislike, indeed, to all such as were of the school of Don Ignacio de Ipigna.

Mr. Tooke was accustomed to speak in terms of admiration of the two following authors:

1. Nicholas Machiavelli, born at Florence towards the middle of the fifteenth century, (1469,) appears to have been worthy of his esteem; for he was, doubtless, one of the most singular and able men, that modern times have beheld. His powers were so extensive, and, at the same time, so various, that he attempted almost every species of composition, and excelled in each; for, like Voltaire, in our own times, he was at once

* Preface to Johnson's Shakspeare, p. 5.

an historian *, a biographer †, and a poet ‡. He turned his attention, indeed, to subjects with which that celebrated personage, notwithstanding his life of Charles XII, appears to have been wholly unacquainted; for, in addition to the qualifications already enumerated, he was a soldier and a statesman, having written with equal skill on the art of war § and the science of government ||.

Of two of his works in particular, Mr. Tooke always professed a very high estimation. The one was "Il Principe," in which he has exhibited a great knowledge of human affairs; and, on looking into cap. iii, "De i Principati misti," I find that he has pointed out the principles on which the English constitution is founded, as well as the means by which it is balanced—*librata ponderibus suis*. The other, entitled

* Gli otto libri delle Historie Fiorentine, di Nicolo Machiavelli Cittadino et Secretario Fiorentino, al santissimo et beatissimo padre Signore Nostro Clemente VII, Pont. Massimo.

† La Vita di Castruccio Castracani da Lucca, discritta da Nicolo Machiavelli, et mandata a Zanobi Buondelmonti et a Luigi Alamani suo Amicissimi.

‡ Operette di Nicolo Machiavelli: 1. L'Asino D'Oro quattro capitoli in rima terza; Due Comedie, la Mundragola et la Clitia, &c.

§ Sette Libri Dell'arte della Guerra.

|| Il Principe.

"Discorsi sopra la prima Deca di T. Livio," was often alluded to by him also, as a masterpiece of human knowledge: and I well recollect, that, on being asked, "if Machiavel, who pointed out the arts of tyranny with so much force and precision, was really a friend to liberty?" The reply was, "What did he undergo torture for then?"

2. He frequently quoted, and often referred to the works of George Buchanan, whom he considered as the ornament of the age in which he lived. It was, however, his celebrated work, "De Jure Regni apud Scotos," that was so much admired by the politician of Wimbledon. He observed, that it did not appear, from any good authority, that the preceptor of king James was ever prosecuted for this tract, although it was prohibited by an act of the Scotch parliament, in 1584. It seems to have been referred to but seldom, during the disputes that led to the civil war in England, except by Algernon Sidney, who quoted it twice; and yet, after the restoration, Charles II published a proclamation for its suppression. The following passage was often mentioned by him with approbation.

"*B.* ——— Uter auctoritatem habet ab altero? Rexne a lege an Lex a Rege?

"*M.* Rex a Lege.

" *B.* Unde id colligis?

" Quia non Rex legi sed lex Regi coercendo quæsita est. Et a lege id ipsum habet, quod Rex est: nam absque ea Tyrannus est.

" *B.* Lex igitur Rege potentior est, ac velut rectrix, et moderatrix et cupiditatum et actionum ejus.

" *B.* Uter potentior, populus an lex?

" *M.* Universus, opinor, populus."

I have some reason to think, that his own book on language was written in form of a dialogue in imitation of Buchanan.

Mr. Tooke held Milton in high esteem, and took all occasions to praise his genius, and vindicate his character. Mr. Wharton, for having animadverted on a hemistic in "Comus," was told, " that he meant not so much to cavil at Milton's expression, as to seize an impertinent opportunity of recommending himself to the *powers which be*, by a cowardly insult on the dead and persecuted author's memory, and on the aged, defenceless constitution of his country."

The author of the " Diversions of Purley," frequently quoted the celebrated " Defensio pro Populo;" and although not a republican, like Milton, yet they both seem to have agreed as to the conduct observed towards Charles I *.

* " Eam animi magnitudinem vobis, ô cives, injecit Deus, ut devictum armis vestris et deditium regem judicio inclyto

He was also a great admirer of Locke. Of this illustrious Englishman, he was accustomed to observe, in the language of Ben Jonson, while speaking of Shakspeare, "I reverence him on this side of idolatry." In respect to his work on "Government," however, he did not seem to think that he went so far as might have been expected, for he remarks, "that Locke had written enough to justify the assumption of the government by king William, and no further."

Voltaire was not a favourite with him. He would not allow any merit to this celebrated Frenchman, who excelled in so many different departments. Mr. Tooke would not suffer him to be compared to any of our great English literary characters, and was accustomed to pronounce him "inferior in every thing — inferior as a poet, a biographer, and an historian." He forgot, at that moment, that he had been a dramatic writer, else his skill and success in that art would also have been of-

judicare et condemnatum punire, primi mortalium non dubitaretis. Post hoc facinus tam illustre nihil humile aut angustum, nihil non magnum atque excelsum et cogitare et facere debetis . . . amore libertatis, justitiæ, honestatis, patriæ denique caritate accensos, tyrannum puricisse."

Joan. Milton, pro Populo Anglicano Defensio.

fered up, perhaps, as a sacrifice on the same altar!

To Dr. Johnson I have often heard him express his dislike, in terms replete with indignity. Even after Mr. Seward communicated to him, that the great lexicographer had mentioned his talents with respect, and intended to profit by his labours, in case a new edition of his work should be called for during his life-time, he was accustomed to mention his philological toils with scorn. On the other hand, he frequently declared, that he could not read the preface to his "Dictionary" without shedding tears at the unmerited misfortunes of a scholar and a man of letters.

Mr. Tooke, as a zealous admirer of the ancient constitution of England, was accustomed to refer to the learned Hottoman's "Franco-Gallia," by way of proving that all Europe was originally governed on similar principles. He also mentioned the preface to the English translation, by lord Molesworth, an author patronized by king William, and ennobled by George I, as a work worthy of an Englishman.

Of "Blackstone's Commentaries," he was accustomed to say, "that it was a good gentleman's law-book, clear, but not deep." He did not approve of sir William's definitions, and

observed, that his explanation of law, as "a rule of conduct," meant no more than if he had said, "that law was law." I well recollect his animadversions on the change of public opinion respecting the Vinerian Professor, whence he inferred something very like degeneracy on the part of the nation: for he observed, "that when the 'Commentaries' first made their appearance, they were esteemed so little friendly to freedom, as to be quoted on the side of power; but he had lived long enough to find them cited on the side of liberty!"

There is reason to suppose, that Mr. Tooke not only admired, but often imitated Dr. Swift, whom he resembled, not only as to his original profession, but also in many of his peculiarities. Like him, he detested foreign idioms, and, on all occasions, gave a decided preference to his native language, which he considered as fully competent to disclose the meaning of any rational creature. The structure of his sentences, and even the punctuation of his earlier works, appear to be formed after the example of the dean of St. Patrick.

He was accustomed, with him, to define "party" — "the madness of many, for the gain of a few." Like him, too, he was sometimes ready to affirm, that, of the two great political

bodies in this country, "the tories were the most honest." As for the whigs, the doctor himself could not have hated them more cordially, but yet their motives were entirely different. They had denied preferment to the Irish dignitary, and persecuted his best friends: on the other hand, they were supposed, by the English philologist, "to have superadded hypocrisy to a factious spirit, by having constantly pledged themselves, when out of office, to what they never meant to perform when in power."

With the entertaining biographer of Dr. Johnson, Mr. Tooke told me, he had had some trifling dispute, which was ended like those of two Celtic chiefs, in a trial of strength, *more antiquo*—with this difference, however, that the beverage was not methlegin, or the vases out of which they drank their potations, the skulls of their enemies! Mr. Boswell, dining one day at Dolly's, along with a company of which Mr. Tooke constituted a part, some little altercation unfortunately ensued, and the former is said to have left the room because the latter happened to exclaim, "d—n it!"

This, to be sure, was indecorous, but not an unpardonable offence, in the eyes of a man possessed of so much good humour. Accordingly, happening to meet at a gentleman's house, soon

after, Mr. Boswell proposed to make up the breach — on the express condition, however, that they should drink a bottle of wine each between the toasts! But Mr. Tooke would not give his assent, unless the liquor should be *brandy*. This was accordingly agreed to by both parties; and, by the time a quart had been quaffed, the laird of Auchinleck was left sprawling on the floor!

I am unacquainted with the extent of human power in respect to trials of this kind, or the retentive capacity of any single man at a sitting, but I have heard a Kentish gentleman declare, in the presence of his friends and neighbours, who most readily concurred in the assertion, "that he had drank as much wine as would float a seventy-four-gun ship!"

Mr. Tooke once told me, that, after he had attained the age of fifty, the canals of the human body began to be clogged up, by the constant wear and tear of half a century. In allusion to this, he was accustomed to relate an anecdote of a man of fortune, who kept a fine carriage, nicely poised and adjusted for his friends, while he himself always rode in one without springs. Accordingly, he was a great advocate for a *jolt*, as, according to him, it tended not a little to remove obstructions. While residing in that neighbour-

hood, Brentford presented ample opportunities for this indulgence, being, until lately, the worst paved town in Great Britiain; and even after his removal to Wimbledon, when he supposed himself to stand in need of a little jumbling, he was accustomed to pass along Putney Bridge in a post-chaise, and, on entering London, gave orders to the postillion to drive, for a couple of hours, up and down the roughest of the streets; after which he returned home, not a little invigorated and refreshed.

CHAPTER IX.

1812.

His Death and Character.

MR. Tooke had now attained an advanced age, and the fatal scene was about to close on him for ever. He still continued to bear his fate with undaunted resolution, and was never once heard to complain. His mind, indeed, seemed at times to be occupied with those cares incident to men who expect to live for many years; and when not overwhelmed with disease, he took a delight in planning future improvements.

But a few months before his death, he had determined to alter his whole establishment, and appeared busy in preparing for a long period of enjoyment. He accordingly raised his walls, repaired his stables, paved his yard, papered, and in part, actually furnished his house anew. He, at the same time, planned a coach-drive in

form of a semi-circle before his entrance door, with a handsome gate at each end.

A new arrangement also was to take place in his household. He intended to have a servant *out of livery*, to wait on himself; and when any thing happened not to be dressed exactly to his mind, he would threaten to have a French cook!

Indeed, he actually expended many hundred pounds in some of these projects, and had he lived but a year or two longer, it is more than probable, that he would have greatly injured his fortune. As he was unable to superintend his improvements, as formerly, in person, they were not always executed in the best manner, or on the most economical terms. The pavement leading to his house was so rough, that, in order to avoid encountering it, a regular foot-path was formed on each side; and the visitors walked every where, "but along the path destined for them." No visible advantage was derived from heightening his garden wall; the coach-house was not destined to receive a carriage, as he never permitted any to stand there; and as for his stables, no horse but one, belonging to his nephew, ever entered them; and indeed, after they were fitted up, that gentleman's chaise was always sent to the inn. Even

in respect to his own tomb, a material omission had occurred; for, in consequence of not being under-drained, it was occasionally liable to be overflowed; and was nearly full of water at the time of his decease.

The wish of Mr. Tooke that his corpse might be deposited in his garden, without ceremony and without ostentation, was very common in former times, and is not singular in our own age: one instance exactly similar occurred in the case of Baskerville, the celebrated printer; and another nearly so, in that of Mr. Thomas Hollis, who, after employing more than half his large fortune to the noble purpose of rescuing the works of departed genius from the rust of time, and the support and defence of the liberties of his country, died in 1774, and was buried, according to his desire, in one of his own fields, at Coroscombe, in Devonshire.

The following is the last letter ever penned by Mr. Tooke. It was written exactly twenty-one days before his death, and is addressed to Dr. Pearson, in consequence of having heard that he had been bitten by a mad dog.

"*Wimbledon, Feb.* 26, 1812.

"MY DEAR SIR,

"Though I have forborne to write, because I "would not be troublesome, yet I am very

"anxious about your health. For God's sake, "let some of your family tell me how you "are.

"J. H. TOOKE."

Immediately after this the patient became worse, and he talked no more of future improvements. But no change whatsoever appears to have taken place in respect to his firmness and resolution.

Death, the very sound of which seems so dreadful to others, had no terrors in store for him. Even his facetiousness did not seem to abandon him on this occasion; for he declared himself fully prepared for the last act of the tragedy; and ridiculed the fears of the citizen of Strasburgh, who, on being condemned to perish, requested to be allowed to close the scene with his favourite diversion of *skittles*; and on being indulged in his wish, kept bowling on with a view of protracting his existence, until the executioner was obliged to get behind and cut off his head.

He had now lingered during a considerable time on a bed of sickness, when one of his daughters observed a livid spot on one of his feet, that alarmed her exceedingly. Her presages were but too true, for it was at once the sign and the

effect of a mortification! This intelligence was immediately communicated to his medical attendants, and his friend and neighbour, sir Francis Burdett, who happened to be in town. Next day he repaired to Wimbledon, and, discovering little or no alteration, was not in the least aware of the approaching catastrophe. The last conversation that took place was sufficiently remarkable; for, while yet in perfect possession of his senses, and uncertain of his impending fate, although conscious it could not be long protracted, the patient eagerly inquired concerning the effect produced on the house of commons, by the motion relative to the *punishment* of soldiers?

Towards the afternoon, Dr. Pearson arrived, and that, too, at a critical moment; for his patient had been taken suddenly ill, and the symptoms were such, as announced a speedy dissolution.

He seemed, as usual, perfectly resigned to his fate, but he soon became speechless and nearly insensible. Yet, as he had once before been relieved by cordials, notwithstanding he was told it was now in vain, the member for Westminster prepared to administer one with his own hand. Having knelt for this purpose, the dying man opened his eyes for the last time, and see-

ing who it was that presented the potion, he swallowed it with avidity. Mr. Cline now entered the apartment, and no sooner was the arrival of that gentleman whispered in his ear, than, although unable to utter a single word, he exhibited symptoms of approbation; and, as if all he desired in life had been at length gratified, soon after concluded his earthly career.

Thus died, in his own house at Wimbledon, exactly at a quarter before ten o'clock, during the night of Wednesday, March 18, 1812, John Horne Tooke, in the seventy-seventh year of his age; a man equally singular in his character, his opinions, and his fortunes.

In person, he was five feet eight inches and a half high. His face was short and rather oval. The *occiput*, however, was of considerable dimensions, and he might therefore *literally* be denominated *long-headed*. The same has been observed of Pericles, who, on this very account, obtained a particular appellation*.

On application to Mr. Chantry, the statuary,

* This great man, under whose administration, Athens proved at once flourishing and fortunate, was sometimes denominated *Schinocephalus*, from the resemblance of his head to a sea-onion; and sometimes *Cephalegeretes*, or head-compeller, as if his had been an assemblage of many heads.—See *Plut. in Vit.*

he has communicated the following dimensions of Mr. Tooke's scull, taken by him, when he modelled the bust, and kindly reduced his scale to the standard of vulgar admeasurement. The width of the *os occipitis*, was exactly six inches and three quarters; the *os frontis* five inches and a quarter; the greatest width between the extremitities of both, eight inches and three quarters.

The artist remarks that all the parts were well defined and highly finished, so as to exhibit a flowing curvilinear surface, combined with a marked character.

He was also pleased to add, that the head possessed a complete resemblance to the bronze bust of Voltaire, lately in possession of lord Kinnaird.

Pageantry and funeral pomp were always odious to him; and he was determined that the little he had to leave should not be either lessened or swallowed up, after the modern manner, by means of an expensive burial. In imitation, therefore, of a great man of antiquity *, the common friend of Brutus, Cæsar, and

* " Elatus est in lecticulâ, ut ipse præscripserat, sine ulla pompâ funeris, comitantibus omnibus, bonis, maximâ vulgi frequentiâ. Sepulcus est juxta viam Appiam, ad quintam lapidem, &c.—*T. Pomp. Attici Vit.*

Cicero, he gave orders to be interred near to the highway, and in the most economical and most unceremonious mode possible. A gentleman, who respected him while living and venerated his memory after his demise, composed an eulogy, which he wished to be pronounced by the member for Westminster over his grave, after the manner of the funeral orations of antiquity; and to complete the illusion, he intended that the busts of the deceased should be carried in procession, and placed, during the ceremony, by the side of his tomb.

This, however, was not complied with. It was suggested that the interment of Mr. Tooke, in this precise spot, would deteriorate the value of his estate, and that the wish of the dead, in an affair of this kind, which rather savoured of caprice than sound judgment, ought not to be complied with to the prejudice of the living. On the other hand, it was observed, that the wishes of a dying friend should ever be held sacred, and that he who had bequeathed the freehold was competent to regulate the application of it in any manner he deemed fit. I shall not presume to decide on this delicate question; it is evident, however, that some doubts on the subject had occurred; for there were two different appointments made, and countermanded

for the funeral, and the original vault was actually opened and prepared for the reception of the corpse. At length, however, it was determined that the body should be interred in the tomb of his sister at Ealing, and orders were given for that purpose. Accordingly, on the morning of Monday, March 30, 1812, the company invited assembled at Wimbledon, and at eleven o'clock the corpse was brought out. It was contained in a leaden coffin, which was enclosed within a very large and deep oak chest, unornamented with cloth, paint, or any decoration whatever; and as it had been originally destined for the vault in the garden, there were not even handles to it; every thing in this particular being in exact compliance with desires of the deceased. Several mourning coaches, containing the friends and acquaintance of the deceased, accompanied the body, while the carriages of sir Francis Burdett, sir William Rush, Mr. Bosville, Mr. Knight, and Mr. Cuthbert, with four horses to each, followed empty.

On arriving at the parish church of Ealing, the corpse was met by the vicar, and a procession being formed, it was accompanied in the following order:

Mr. Wildman, nephew to the deceased, and Sir Francis Burdett, bart., M. P. } chief mourners.

Sir William Rush;	Mr. Stephens;
Mr. Bosville;	Mr. Knight, M. P.;
Mr. Morgan;	Mr. Brookes;
Mr. Pearson;	Mr. Adams;
Mr. Timothy Brown;	Mr. Hardy;
Mr. Cuthbert, M. P.	Mr. Miller;
Mr. James;	and Mr. Sandford;

The funeral service was read in a very audible and impressive tone of voice, by the rev. Coulston Carr, after which the body of Mr. Tooke was interred along with that of his mother, in the usual manner, and with the customary ceremonies, every thing being in exact conformity to the practice of the church of England.

In point of stature, Mr. Tooke did not exceed the middle size; but nature had formed him strong and athletic. His limbs were well knit, compact, and duly proportioned; and he might be said to have been comely, rather than handsome, in his youth. His features were regular, and his hair, towards the latter end of life, was generally combed loosely over the temples, and cut close behind. His eye was eminently expressive; it had something peculiarly keen, as well as arch in it; his look, seemed to denote an union of wit and satire. When he first surveyed a stran-

ger, he seemed to take a *peep into his heart;* and in argument it was difficult to withstand the piercing sharpness of his vision, which appeared but to anticipate the triumph of his tongue. No one was ever better calculated for colloquial disputation; or that duel-like controversy, exhibited by two disputants, when *pitted* together, with the breadth of a mahogany board only *between* them. In such an *arena*, he was invincible! wit, humour, learning, temper, genius, —all came in aid of argument, and when he made his most deadly thrusts, it was with a smiling countenance, and without any seeming effort or emotion. For a larger theatre, perhaps, he was not equally calculated. His voice was not sufficiently powerful for a tumultuous audience. He neither possessed the dignified majesty of the old, nor the amazing volubility of the new school. That flexibility of features which gives the power, and that rare but precious faculty, proceeding from art or nature, which affords the means of expressing all the passions in succession, appear to have been wanting. Yet, deficient as he might be in respect to those qualifications, he is said in the senate to have been listened to with attention, and on the hustings, at Covent Garden, he always experienced a marked and uniform degree of applause; for there he

had recourse to that broad humour in which the multitude delights, and those bold, sweeping assertions, those daring and unmeasured charges, which are suitable to the genius of a popular audience.

He always reminded me of Ulysses, as described by Homer, both in person and address. Artful, insinuating, and dauntless; at first his appearance was unpropitious, but gaining on his audience by degrees, after some time, he seized and retained possession at pleasure, both of their hearts and understandings. And when obliged to contend for superiority, he conducted himself with seeming modesty; artful, unassuming, temperate: he received the charge of his antagonist without emotion, repelled his assault with interest, and finally ended by becoming victor.

Mr. Tooke, during many years of his life, may be considered as a martyr to disease. He was seldom in perfect health, during any considerable period, and when particularly well, he used to exclaim, with his accustomed jocularity, "that the enemy was at hand!" On those occasions, he always prognosticated a severe fit of the gout, and was but seldom disappointed.

Notwithstanding this, Mr. Tooke's stomach, like that of the ostrich, seemed formed to dissolve iron; and, indeed, it was often occupied

in digesting the most crude materials. He was accustomed to swallow cucumbers, melons, and pickled salmon, in great quantities, with impunity. Roast and boiled; white meats and brown; fish, either fresh or salted; pies, puddings, preserves, apples, pears, and walnuts, seemed all to be swallowed indiscriminately, without fear, and without danger.

In respect to drinking, no two men ever varied more from each other, than he did at different seasons from himself. Sometimes he confined himself for a whole month to water, and then he would descant on the advantages to be derived by those who drank freely of the pure and unadulterated element. His wit seemed to improve with his sobriety, and he would then boast of his early abstemiousness in the language of Shakspeare:

> "——— In my youth I never did apply
> Hot and rebellious liquors to my blood;
> Therefore my age is as a lusty winter,
> Frosty, but kindly *."

He then exclaimed against wine, and indulged in commendations of Mahomet, who, with a code infinitely inferior to that of Christianity, had been fortunate enough to prohibit and pre-

* As You Like It, act ii, s. 3.

vent the two great evils of modern society, drunkenness and gaming. He would then out:

"O thou invisible spirit of wine, if thou hast no name to be known by, let us call thee ——— devil! O that men should put an enemy in their mouths to steal away their brains! that we should, with joy, revel, pleasure, and applause, transform ourselves into beasts *!"

On the other hand, he could find classical authority for ebriety itself, when he was disposed to be merry. On such occasions he would demand, what was the use of fortune without wine? and indulge liberally in its praises;

> "Quo mihi fortunas, si non conceditur uti?"
> ——————"Potare, et spargere flores
> Incipiam; patriarq; vel inconsultus haberi.
> Quid non ebrietas designat? operta recludit,
> Spes jubat esse ratas; in prælia trudit inermem:
> Sollicitis animis onus eximit; addocet artes.
> Fœcundi calices quem non fecere disertum?"

He would then maintain, that two excellent poets, Æschylus and Buchanan, could never write verses without being stimulated by the juice of the grape; that the lyric poet Alcæus †,

* Othello, act ii, s. 3.

† "Alcæus etiam φιλοπινος notatur."

was denominated after his favourite pursuit; that Homer freely recommends this species of indulgence in his immortal numbers; and that old Ennius found himself incapacitated without it!

> "Laudibus arguitur vini vinosus Homerus.
> Ennius * ipse pater nunquam nisi potus adarma
> Prosiluit dicenda."

I eagerly seize this opportunity, however, to declare, that Mr. Tooke, for many years before his death, became extremely abstemious.

The sarcastic remark of Mr. Wilkes, in early life, that "the parson never laughed," was, in some degree, verified in his latter years. It was evident, that no one could tell a story or enjoy a joke better; but he seemed in general to keep his passions in abeyance, and seldom or never exhibited signs of that obstreperous and convulsive merriment which others so frequently display and enjoy. The character of his countenance seems to be admirably pourtrayed in the following lines:

* With the private life of Homer we are too little acquainted to be able to decide; but the example of Ennius has but little recommendation, for he is supposed to have died of the gout, (at the advanced age, however, of seventy!) in consequence of his frequent intoxication. "Articulari morbo periit."

" ——————He reads much;
He is a great observer, and he looks
Quite through the deeds of men——
. . . . . .
Seldom he smiles; and smiles in such a sort,
As if he mock'd himself and scorn'd his spirit,
That could be moved to smile at any thing*."

Plutarch, while treating of a celebrated Athenian statesman, praises the versatility of his talents, and observes, that he possessed the rare art of being able to suit himself to the humours of all men. This singular qualification appears to have been equally the gift of Tooke in one age, as of Alcibiades in another; for he knew how to please either sex, and render himself, when so inclined, agreeable to both young and old. He seemed particularly attentive to the ladies; and no one was able to compliment them with more gracefulness and delicacy. With boys or girls he seemed to have renewed his youth; for he could enter into all their feelings, sentiments, and situations; while, with their fathers or uncles, he indulged in the memory of times no more, and seemed artfully to prefer the past age to the present. To children he was particularly attentive, and they generally retired, equally impressed with his goodness and his wisdom; and not unfrequently in possession of some shrewd

* Julius Cæsar, act i, s. 2.

remark, some sly allusion, or some pithy sentence, which they had treasured up in the course of his conversation.

As an orator, his language, on great occasions, was nervous and animated; his voice, too, was well suited for eloquence; but he was eminently deficient in gesticulation. Although at times exhibiting all the fervid precipitancy of genius, yet, ingeneral, his manner was tame, his articulaion monotonous; and nothing but his knowledge and application of those master springs which regulate the human heart could have rendered him popular. It was thus, that without appearing animated himself, he possessed the rare art of rendering others fiery and infuriate.

Like Michael Angelo, he evinced a lofty confidence in himself; and, at the same time, exhibited a matchless energy in all his actions. He was accustomed to speak with some degree of contempt of those who visited foreign countries, merely for the purpose of collecting the precious remains of art; and seemed to think with Petronius, if this rage were progressive, such a degree of degeneracy must ensue, "that it would be less difficult to find a god than a man."

His notions respecting the modern improvers of agriculture, were nearly similar. He was ac-

customed to lament, that many friends of liberty, during the present day, were more zealous about the breed of pigs than of patriots; and seemed less careful of the dearest rights of the commonwealth than the introduction of spring wheat, or the improvement of Merino wool. In fine, he seemed to speak nearly with the same contempt of them, as of the members of the modern "four-in-hand club," the Ericthoneuses of the present day *.

He was fond of a plenteous board, delighted in convivial society, and was accustomed to sit at table both late and long, which rendered it in some degree necessary for him to sleep until a late period the next morning. Thus, in all these points, he proved unlike John Wesley, who gravely maintains, "that, without fasting and early rising, it is impossible to grow in grace."

In many parts of his character, he seemed to reconcile contradictions. In general, he spoke as if destitute of feeling; and, for the most part acted, as if made up of sensibility; in fine, he united in himself, what king William declared

* Primus Ericthoneus currus et quatuor ausus
Jungere equos, rapidisque rotis insistere victor.
GEORG. III.

to appertain only to the duke of Marlborough: "the coolest head with the warmest heart."

Gay, lively, and full of pleasantry in general conversation; on politics alone, he was bitter, vituperative, and inflexible. On those occasions, however, he seemed to be actuated solely by conviction; and it is no small praise, that, without regarding popularity, he was constantly on the side of liberty.

Originally open, communicative, and confiding, he had, in the course of time, become close, reserved and suspicious. The experience of a long series of years had, doubtless, taught him caution, and even distrust, in respect to public men; for, in the bloom of youth, he had experienced the treachery of one friend, while, in the decline of life, he had nearly been cut off from society by the enmity of another; and yet, in behalf of the former, he had sacrificed his fortune; while he had heartily embarked in the same cause with the latter, and fought in the thickest of the battle without any prospect of reward after the victory.

That he was devoid of guilt, in respect to his conduct at the commencement of the first American war, the general voice of the nation seems to have long since determined: that his conduct was meritorious, in attempting to stop the

effusion of the blood of those connected with us by every tie dear to a nation, will scarcely be doubted at the present day. To those who decide by events alone, it still remains to be proved, whether the contest with France has been advantageous or injurious, and, consequently, whether his opposition to it was politic or imprudent; but, as to his innocence, in regard to the charge of treason, this will not admit of any doubt, as it has been confirmed, not only by the verdict of a jury, but by the concurring assent of the whole nation.

That he who quarrelled with Mr. Wilkes for his bad faith; who attacked lord Mansfield for his illegal decisions; who opposed Mr. Fox on account of his coalition; and boldly, but fruitlessly urged the charge of apostacy against Mr. Pitt, should have created a multitude of enemies, cannot excite much surprise. This, perhaps, will assist in solving the paradox, by enabling us to discover why he, who was uniform in his politics, should be detested for double dealing; why one, constantly actuated by principle, should be termed a hypocrite; and why a man attached to the constitution in all its forms, should be branded with the name of a republican.

In point of disinterestedness, no man of his

age can be put in competition with him; all that he obtained, in the cause of the public, consisted of fines, imprisonment, and persecution. For opposing the fatal contest with America, he experienced a long confinement, and was obliged to redeem himself from protracted captivity, by a considerable mulct. For objecting to the subsequent war with France, he was detained in different jails during the term of many months, arraigned for treason, and finally tried for his life.

From the exercise of his profession, he was precluded by chicanery and oppression, originating in the petty jealousy of a great judge, and the servile compliance of the benchers of the Inner Temple; while, from a seat in parliament, he was actually cut off, by an act of political proscription, wholly unexampled in the annals of British legislation.

It could be no common man, against whom such extraordinary measures were recurred to! It could be no common man, to whom his greatest enemies, as well as his best friends, seemed anxious, before their death, to unite in paying a public and a private tribute to his worth; as was the case with Wilkes, who was eager to acknowledge his virtues in the face of the people; and Thurlow, who, after he

had run the race of ambition, courted his acquaintance in the peaceful shades of retirement.

That he was somewhat intractable and unaccommodating as a politician, cannot fairly be denied; and in this, perhaps, he but too much resembled Fletcher of Saltoun, the celebrated Scottish patriot. In a free country, the solitary efforts of a single individual can effect but little; it is by a combination of means, and of efforts alone, that any thing advantageous can be achieved for the commonwealth. Caius and Tiberius Gracchus had the laws and the constitution of Rome on their side; and yet, by neglecting this obvious maxim, they were sacrificed, one after the other, to the jealousy of their opponents, without contributing any thing in behalf of the common cause, which was ruined by their injudicious exertions.

But notwithstanding all this, and even under a variety of disadvantages, in point of birth, fortune, and profession, much must be allowed to have been accomplished by the subject of this memoir. As an author, his work on the theory of language, has stood the test of criticism, and will, probably, be esteemed, so long as the tongue in which it was written shall endure. In respect to the laws, from the prac-

tice of which he was unjustly precluded, he has, at least, confirmed that noble position in English jurisprudence, "That no man shall be obliged to accuse himself," by putting an end to interrogatories. And in regard to politics, if he proved unequal to the task of effecting any essential reform in the representation of the house of commons, yet, by procuring the publication of the debates, he diffused a general taste for parliamentary investigation; and, while a new check was thus imposed on corruption, he, at the same time, enabled every man in England to sit in judgment on the conduct of his representatives.

In respect to political principles, he may be considered as a whig of the times of king William; never contending for a republic, like Milton; but, like lord Molesworth, standing up for every thing, either aimed at or obtained by the revolution. This subjected him to no common share of obloquy, and seemed to involve his opinions in a chronological error; for they were not always fitted to the times in which he lived, but appeared, by some anachronism, to have been transferred from the seventeenth to the beginning of the nineteenth century. Accordingly, the notions of government maintained by him, were said to be utterly

impracticable. His extreme disinterestedness; his ideas of political perfectability; his personal independence; might be well calculated for a solitary, unconnected individual; but they were not deemed suitable to the genius of a luxurious and corrupt age. The machine of the body politic, it was said, could not be brought into action under such auspices, unless a new race of men was created for the express purpose of working it; while a single individual, however able and however powerful, could not act with any effect in a government so constituted as ours, without the aid of a party possessing all the feelings, passions, and prejudices of men. It must, however, be allowed, that, with a steady uniformity, of which Bolingbroke could not boast, Mr. Tooke possessed a better right than that nobleman, to style himself "the enemy of no national party, the friend of no faction; but distinguished under the cloud of a proscription, by zeal to maintain the liberty, and to restore the ancient prosperity of Great Britain."

As this work is not intended as a mere eulogy, in which all the virtues are to be rendered prominent and conspicuous, while the errors and faults are to be thrown into shade, I shall here speak my mind freely of that great and

singular man, and thus "discharge my conscience," both to the present age and posterity.

In the first place, he was accustomed occasionally to swear. This was a *habit* acquired, or at least increased, during his latter years, and appeared indecorous to a high degree: partly, as the present age is happily averse from such an odious custom, and partly, as proceeding from the mouth of a man, whose conversation in general was didactic, and who possessed both the wish and the talents to instruct others.

In the next place, he had too freely and too often sacrificed to the "rosy god," at a former period of his life; and, as to the honour of our own age, those rites were far more frequently performed heretofore than now, libations, such as these, appear to us to be far less excusable. I am well aware, however, that, like a Bacchanalian of antiquity *, his good humour and pleasantry increased with his cups, and that wine seemed to have the same effect on his conversation, that fire has on incense; causing the finest and richest essences to evaporate by ignition. Notwithstanding all this, which I apprehend may be deemed but little better than a good-natured apology for ebriety, his brightest mo-

* Lamprias.

ments always appeared to me to be during dinner, or over a cup of tea.

It must be acknowledged, also, that he carried his personal enmities too far. I am well aware, however, it may be suggested by his admirers, that his animosities were chiefly of a political nature, and that his wrongs and sufferings had been great, uniform, and durable. There was at times, however, a certain degree of bitterness in his animosities, that it would have been far more philosophical, either to have mitigated or avoided.

On the other hand, the warmth of his temperament, perhaps, rendered him peculiarly susceptible of gratitude; for a sense of benefits is exhibited in general in the same proportion as a sense of wrongs. The fervour and uniformity of his friendships were also conspicuous; and thus, like most men of strong passions, he both loved and hated in extremes.

In political affairs, Mr. Tooke was prone to suspicion; and always seemed to think himself justified, on such occasions, to attribute the springs of human action to the worst motives.—He thought with Othello:

> ——" to be once in doubt,
> Is—once to be resolv'd*."

* Othello, act 3, scene 3.

When he found his jealousy realized, he would then freely indulge in his attacks, both personal and political; and, on such occasions, no one was ever better calculated "to give the bastinado with his tongue*." Wit, ridicule, sarcasm, were each employed in its turn, and he would then address himself to the company, and affect to condemn his own suspicions in the language of his favourite bard:

> ——— "I do beseech you,
> Though I—perchance, am vicious in my guess,
> (As I confess, it is my nature's plague,
> *To spy into abuses*; and oft, my jealousy
> Shapes faults that are not) that your wisdom yet,
> From one that so imperfectly conceits,
> Would take no notice†."

Having frequently, during his youth, been by turns both duped and betrayed, he was cautious of trusting to either professions or appearances. Perceiving the same men equally liberal in their promises to the public while in opposition, and negligent of fulfilling them while in power, this circumstance produced first doubt, and then disgust; accordingly, he had become the sworn enemy of several successive administrations; by most of which, he was of course most heartily hated in return. Meanwhile, steady to his original principles, and eminently consistent in

* King John, act 2, scene 2. † Othello, act 3, scene 3.

his political opinions, he at length became, on that very account, the most singular public character in the kingdom; because, in truth, he was the only man, of his day, who had not changed!

One gifted with such various powers, was formed by nature to rise above, and excel his contemporaries. But it is not permitted to mortals, that any individual, however great his talents and his merits, shall eclipse all competitors in every branch of science. It is but candid, therefore, to allow that he was inferior to Geddes in Hebrew, and to Porson and Parr in Greek. But he was confessedly superior to Harris and to Johnson in the physiology of language; he had ably contended with a Mansfield and a Thurlow, in law; and it was at his instigation, and by his suggestions, that a petty tradesman had been encouraged to enter the lists with, and overcome, the chief justice of the court of King's Bench, on a constitutional question; while, by his means also, two or three aldermen of the city of London were enabled to foil one branch of the legislature, although backed and supported by a royal proclamation.

Men are fond of wielding those weapons in which they excel, and Mr. Tooke was of course desirous to engage in argumentative discussions.

But on most occasions he was polite, liberal, decorous. When others were engaged in colloquial controversy, he always took the side of the weaker party; and, by adding his weight, generally made the balance preponderate in favour of a feeble ally. With nothing was he so much disgusted as an overbearing antagonist; and such a person, whether he encountered with himself or others, seldom or never escaped with impunity.

On one occasion, two scholars, both of whom had obtained some celebrity in Greek literature, happened to debate pretty *sharply* together. At length, the younger of them, who had been more severely disciplined in the scholastic forms, and had probably the advantage on this occasion over his opponent, seemed to feel his superior strength. Accordingly, he began to raise the tone of his voice, and, in an exulting manner, make use of severe and even coarse expressions. On this, Mr. Tooke, who was at table, unable any longer to contain himself, exclaimed, "Give me leave to tell you, young gentleman, that good manners are better than good Greek."

His reasoning faculties were peculiarly acute, prompt, and unclouded. During an argument, he usually heard his adversary with great pa-

tience, and, in his turn, pointed out the real, or seeming absurdity of his reasoning. If no opening was given for this, he then recurred to the Socratic method, and by means of pertinent and well-timed interrogatories, artfully drew forth such replies as could not fail to prove serviceable to that side which he espoused. After all, although truth was obviously the general aim of his life, yet it is but fair to allow, that he sometimes contended merely for *victory;* the ablest and best of men frequently fighting, like gladiators, for fame, without troubling themselves much as to the justice of the cause. Let it be recollected, however, that when declared conqueror, which was usually the case, he did not plume himself on his acquisition, or exhibit any unbecoming airs: on the contrary, he generally contrived to say something handsome of his antagonist, and endeavoured to soften defeat by compliment and conciliation. On the other hand, when the ground occupied was no longer tenable, like a skilful commander, he shifted his position; and, while preparing to renew the combat on more equal terms, he skilfully covered his retreat by playing off the inexhaustible artillery of his wit, raillery, and humour, under the smoke of which he retired with all the air of a triumph.

In addition to the reputation for abilities, Mr. Tooke had the good fortune to acquire and maintain a certain degree of respect, not always inseparable even from genius.

While a prisoner in the Tower, the yeomen entertained a high degree of consideration for him; were greatly pleased with the manner in which he entertained them, and always treated him in a different manner from others under their care. In consequence of this distinction, he experienced a variety of little favours and attentions which he would have been otherwise deprived of. His own domestics seemed proud of being in his service, and always mentioned it with a kind of ostentation, as if he had been a man of the first quality. In speaking of him, they seldom said Mr. or Squire, generally calling him by the simple appellation of *John Horne Tooke*, by way of eminence. There is every reason to suppose, that he was a most indulgent master; for, although of late years he would not allow of any of their friends to frequent his house, yet he permitted them to go out frequently; and often paid their expenses when they went to town, treating them at the same time to the playhouse.

Towards the latter part of his life, as time and opportunity allowed, he made inquiries into the condition of several of his poor neighbours,

with a view of alleviating the pressure of the times. Finding that several of the cottagers, at the back of his gardens, were in some difficulties, he immediately sent and discharged their taxes. It is painful to mention the sequel. Many of these, not content with this assistance, actually entreated him to pay their rent! Let not inhumanity, however, plume itself on its pretended knowledge of the human heart; or insensibility boast of its superior cunning. Such instances as these, it is to be hoped, but seldom occur; and were we to argue against the practice, on account of the abuse of any of the virtues, there would soon be an end to all the charities, that either endear or ennoble human existence.

The name of Mr. Horne is intimately connected with many great constitutional questions. Early in life, he denied the right of the crown to aggravate a capital punishment, and induced two of the magistrates of the metropolis to question this exercise of the prerogative. Notwithstanding the decision of the twelve judges, had he been one of the sheriffs of London, there is but little doubt, without regard as to the consequences, that he would have executed the sentence, in express conformity to the judgment of the court, but in direct opposition

to the orders conveyed under the sign manual. As it was, he occasioned the usual mode of pronouncing judgment to be altered *, and rendered conformable to the mode of execution, as well as consonant to the laws.

In point of personal intrepidity, Mr. Tooke has never been excelled. No fears could appal; no threats could terrify; no sufferings could subdue him. He lived, as if he had existed solely for the purpose of maintaining his principles; and such was his enthusiasm, that he seemed only ambitious of some proper opportunity to vindicate them by his death. On one occasion, he prevented the progress of a private bill in its way through parliament, by his own personal interposition; at another, he dictated the only reply ever made by a subject to a British sovereign; and even during the trial for his life, when the common herd of mankind are entirely occupied with the perils of their situation, his mind was so disengaged, and his conduct so dignified, that he seemed, at one and the same time, to overawe a minister, whom he examined as a witness, and prescribe the law to the judges on the bench.

Mr. Horne Tooke evinced, not merely a manly

* See Genuine Copies of all the Letters, &c., p. 39.

fortitude, while exposed to the puny attempts of anonymous enemies, but a degree of scorn and contempt at their efforts, which I never, before or since, witnessed in any other man. He constantly obtained all the caricatures published relative to himself or his friends, and immediately hung them up in the apartment where he received his company, so as to be exposed to the gaze of all his visitors. One of the first times I ever saw sir Francis Burdett in his house, he invited him to hear a satire composed for the express purpose of vilifying both. Our host then sat down, and read aloud the most aggravating passages, against them, coolly commenting on the poetry, and examining the merits of the production, which he had now seen for the first time, with a clear, calm, and unruffled brow, as if wholly unconcerned as to the event. When any of the lines proved feeble or impotent, he tried both to mend the versification and point the irony; and, if a passage was written with more than ordinary ability, he was sure to recite it twice, and that too, in such a manner, as to produce additional effect, by means of appropriate emphasis and intonation.

Of his equability of temper, another remarkable instance was afforded, on a public and memorable occasion. Having differed with the

whigs, both as to the time and manner of opposing Mr. Pitt's administration, and accused their own party of meanness, corruption, and love of place, he of course became odious to them. In 1793, when they and their adherents had assembled in large numbers, at the London Tavern, for the purpose of voting certain resolutions, indicative of their opinions, Mr. Horne Tooke attended the public summons, and on addressing himself to an unwilling audience, craved permission to be heard. Finding his opponents disinclined to listen to him, he got upon a table, which, in consequence of the zeal of his friends to support him, and the earnest desire of his enemies to crowd around, and drown his voice with their clamours, soon broke down by the pressure of the contending multitude. Less intent on his personal preservation, than on the triumph of his opinions, he stood erect, amidst the crash around him, and, on descending to the ground with a glass full of wine, which he had held steadily in his hand during the catastrophe, immediately drank it off, and, taking advantage of the wonder and surprise of his adversaries, commenced and concluded a speech of considerable length, with exactly the same ease as if nothing had occurred.

It has already been observed, that he was once termed, in reproach, "the lack-laughter

parson;" and the same observation has been made of Pericles, more than two thousand years ago, in whom it was accounted a perfection, that he but rarely relaxed his features, beyond a smile. He possessed another property of that great Athenian, which it is more difficult to defend; for, like him, he was not unfrequently supercilious in conversation, and sometimes, both in his writings and his discourse, exhibited a considerable degree of contempt for the opinions of other men.

His temperament, too, was naturally choleric, and his blood was not exactly composed of "snow broth;" but this very circumstance constituted his chief merit, for he had learned to govern his passions, and at length succeeded to such a degree, as either to affect or possess such a portion of equanimity, in ordinary occasions, as would have done credit to the stoics of old.

Mr. Holcroft, who, towards the latter part of his life, is said to have experienced many crosses, vexations, and disappointments, happening to be one day at Wimbledon, found himself suddenly assailed by his host, who seemed disposed to empty the whole quiver of his ridicule on the head of the unfortunate guest. Irritated beyond endurance at this conduct, the latter got up, and,

clenching his fist, exclaimed, in a paroxysm of rage, "I am sorry, sir, to say to a gentleman in his own house, what I now tell you, that you are the greatest ras—c— in the world!" Mr. H. Tooke, who by this time began to recollect himself, thinking that he had carried the joke too far, and imagining, at the same time also, perhaps, that this act of vengeance was a legitimate return for his recent conduct; without altering a single muscle of his face, turned round, and, calmly addressing his acquaintance, said, "Is it Friday or Saturday next, that I am to dine with you?"

"Saturday, sir."

"Then you may depend on it, that I shall be there at the hour appointed!"

Mr. Horne Tooke was a great stickler for the church of England. Not even the mitred Horsley himself, ever stood up with greater zeal for its rights and privileges than he did, on all occasions, when they were indiscreetly questioned. Like a wise man, however, his arguments were founded on obvious and tenable principles; for, with Warburton, Hallifax, and Paley, he rested the claim of preference, not on doctrinal points, but on the surer foundation of "civil utility."

Descanting on this subject, one day, at my house, a clergyman, who happened to be pre-

sent, whispered to me, " that he was extremely glad, he had dined in company with Mr. Tooke, for he had always been given to understand, that he was disaffected both in respect to church and state; but now he would return home fully convinced, that there was not a more loyal subject, or a more orthodox divine, within the dominions of the king of England!"

Mr. Tooke was a great admirer of every thing connected with taste and genius. He loved the fine arts; was a liberal, and, had he been more richly endowed with the gifts of fortune, would have been a munificent encourager of them. Not content with bare applause, he was perpetually recommending similar notions to all the men of fortune of his acquaintance; and no one was more willing or more ready to introduce men of merit to those, by whom they were likely to be encouraged and rewarded.

During his residence on the continent, he had seen, examined, and admired the choicest productions of the graver, the pencil, and the chissel. He prized Mr. Sharpe as the first existing artist on copper; could point out the peculiar merits of his best performances; and always concluded by lamenting that a gentleman so eminently gifted by nature and art, could be induced to praise, encourage, and patronise the

superstitions of Richard Brothers. "His print of that unhappy man," said he, "when coupled with the motto below, must be allowed to exhibit one of the most eminent proofs of human genius and human weakness * ever contained on the same piece of paper."

During the whole course of a long and stormy life, Mr. Tooke ever possessed, maintained, and exhibited a steady attachment to the political person, family, and public character, of the reigning prince. But if his loyalty to the king was conspicuous, it must, at the same time, be frankly confessed, that he occasionally abused ministers and favourites, condemned their plans, and attacked their projects, with equal bitterness and impunity. His censure was, of course, far too general and indiscriminate.

That he was a friend to a *reform*, or, rather, to a restoration of the ancient principles of the constitution, has been evinced by him on a variety of occasions. But, even in respect to this, he was cautious and moderate; he at least knew where to stop, and never could be prevailed on to overpass the boundaries of the constitution; for, to use his own language, "if those who pretended to meliorate the government wished

* "This is the portrait of Richard Brothers, in whom I most firmly believe, as a man sent from God. J. SHARPE."

to go so far as Windsor, he would beg to be set down at Hounslow!" That these were his genuine sentiments, may be proved from a recurrence to facts. When colonel Miles, at the celebration of the first anniversary of the French revolution, broached the ridiculous project of an Agrarian law, Mr. Tooke opposed him with his usual zeal, impetuosity, and success; and, not content with this, lest such a mischievous plan should have its admirers elsewhere, he attacked it next day, with all the powers of reason and ridicule, in a letter, which he entrusted to his nephew for the purpose of insertion in the newspapers. Nor was he less resolute in his opposition to the duke of Richmond's plan, for universal suffrage, which he always condemned, as equally impolitic and impracticable: on this, as on all other occasions, fairly trying the propriety of the measure by a comparison with the constitutional standard.

No man of our time has ever been an abler or more successful advocate for the constitution; not in its main fabric and dimensions only, but in all its various parts, proportions, and combinations. A more zealous friend to the "Corinthian capital of polished states," never existed. A person at his table, after attacking one of the branches of the legislature, as entirely unneces-

sary, and proceeded to describe a peer, "as a sort of political monster, who is born a lawgiver, sucks from his nurse's breast the wisdom of legislation, and then sits in parliament to represent himself." On this, the politician of Wimbledon immediately defended the house of lords, as he was accustomed to do the hierarchy, on the score of *utility*, and quoted a celebrated writer in behalf of family honours *.

He observed, that, by frequent creations, the lords had become a numerous body, not now as in the time of James I, consisting of, perhaps, thirty or forty members, but of three or four hundred gentlemen, with titles † tacked to their names, and privileges annexed to their persons. The crown, he said, had indeed made a mistake by the frequency of modern creations; and, if it proceeded at the same rate, one branch of the constitution might soon be, to the full, as numerous; and, he really believed, would actually

* "Aux yeux des philosophes, les titres ne sont que des chèmeres; mais aux yeux de la multitude, et des politiques, qui sont obligés de se prêter à ses préjugés ces sont biens reels."— *Sur le droit Public.*

† The following quotation will evince the coincidence that so frequently exists in the opinions of celebrated men: "The peers are, in some points, (I speak it with all the respect due to them,) *commoners with coronets on their coats of arms.*"

Lord Bolingbroke's Dissertat. on Parties, p. 208.

possess a far better claim to the appellation of a popular assembly than the other. As to the circumstance of "a peer being born a lawgiver, and sitting to represent himself," this, to his knowledge, was not peculiar to lords of parliament alone, for he knew many commoners, who, with worse educations, and less pretensions of every kind, were positively in the same predicament; and, not content with representing themselves, actually sent others in their own *livery* for that very purpose!

In respect to the people at large, he generally mentioned them towards the latter part of his life with respect: "they only wanted instruction; for the bulk of mankind always mean well, even when they are in the wrong." Like Phocion, however, he entertained but a slight opinion of their judgment; and, like him too, was but little solicitous of their approbation.

In respect to commerce and the finances, he always spoke with an unvarying despondency. When reminded one day, by me, of the extent of our trade, the skill of our artisans, and the superiority of our machinery: he ironically observed, "that we had broken the heads of our customers, and now wished to make them pay for the plaister!"

If he was desired to look at the number of

new buildings, and new improvements of every kind, whence the increasing wealth of a nation might fairly be inferred, it was his custom to reply: "You are at this present moment in equilibrio — at a stand still — you exist on what you have gained; you live on the fat; you will soon be lean enough!"

On another occasion, when he heard of some failures in the city, his remark was, "you are not going — you are gone: — it is not a slight hurt, but a mortal gangrene."

Whenever he was told of a new ministry, it was his constant observation, "this will do no good; if the . . . . . whigs come in, they will turn tories; it is not the men that should be changed, but the system!"

Law, in his opinion, ought to be, not a luxury, for the rich, but a remedy, to be easily, speedily, and cheaply obtained by the poor. When told, that the courts of justice, "were open to all," he replied: "and so is the London Tavern,—to such as can pay for the entertainment!"

On a sharp and expensive litigation taking place in Westminster Hall, relative to the property of a sow, he observed, "that judges, counsel, and attornies, ought all to be flogged, until they squeaked like one of her own pigs, for entertaining such a cause!" I apprehend, that he

alluded, on this occasion, to the legal maxim, "de minimis non curat lex."

To the delays of Chancery, he was a mortal foe, and quoted his own case, a few years since, as a proof of it, adding, "I cannot now make my will for want of a decision!"

The grand and noble maxim put into the mouth of a king of England by *Magna Charta*, which supposes, that the prince is always present in the courts of justice, and always exclaiming, "nulli vendimus, nulli negabimus, nulli deferimus, justitiam vel rectum," was constantly repeated by him to young lawyers. On being reminded, one day, that the "nulli vendimus," alluded to the abominable practice, at one time in vogue, of selling the suit, he sharply replied, and with rather more keenness than propriety, "that selling of the writ, which led to the judgment, was as bad as selling of the judgment itself!"

He always declared loudly against "political judges;" and, on being asked his precise meaning, he observed, "that the Chancery and King's Bench were fully sufficient to occupy the attention of any two mortal men."

Mr. Horne Tooke, on all occasions, during the latter part of his life at least, seemed to have been extremely solicitous to ridicule marriage.

But, although matrimony was the general theme of his real or pretended disgust, yet, at one particular period, instead of being averse from, he appears, from good authority, to have been eminently desirous of entering into the connubial state. On this occasion he wrought up his resolution to such a pitch, as actually to "propose." He accordingly confided his sentiments to paper; and this, after being folded up in form of a letter, was intrusted to a servant, with instructions, that it might be transmitted by post. But suddenly repenting, he repaired in person to the office, and, on authenticating his pretensions, actually obtained the possession of his love epistle.

Notwithstanding this, but for the intervention of death, which suddenly snatched the beautiful and accomplished object of his affections away, it is not at all improbable, that a match might have been finally made, and even this sturdy bachelor himself, hailed as "Benedict the married man!" It might gratify curiosity, to know the name of this fair one; but perhaps I have no right to mention even her initials: without violating the decencies of life, I think, however, it may be permitted me to state, that she was miss A., sister to a general who served, during many years, in the horse-guards.

On being lately reminded, after a laboured invective against matrimony, "that if a certain lady had been alive, he would, at that moment, have been the *slave of a woman!*" he replied, with his usual felicity, "a woman! no, no; she was not a woman, but an angel!"

Sometimes he was accustomed to exclaim with Swift, "that he who marries a wife because he cannot always live chastely, is much like a man, who, finding a few humours in his body, resolves to wear a perpetual blister!"

Perhaps the truth of the matter is, that he was too much occupied about public affairs, the earlier part of his life, to be in earnest as to matrimony; and, when he had fixed his affections towards its decline, he considered himself as too poor to live respectably with the woman of his heart. As to a "rich wife," or "wedding for the sake of a bargain," as he called it, he ever had insuperable objections, and seemed to think, that, for mutual comfort, the wealth ought never to be on the side of the female *.

A gentleman, although well aware of Mr. Horne Tooke's prejudices against marriage, seriously advised him, one evening, "to settle, and take

* "Superbiæ conjugales duo stimuli; dos et forma. Multum dotata uxore nihil est importunius, nihil intractabilius."
DE REMED. UTRIUS FORTUNÆ.

a wife." "With all my heart!" replied the other, in his dry sarcastic manner, "and pray, what man's wife would you advise me to take?"

Notwithstanding all this, one evening, after the ladies had retired, he pronounced a warm and eloquent eulogium on conjugal happiness; and with great force and perspicacity, demonstrated the pleasures, conveniency, polity, and advantages of matrimony, without which, children could never be reared or educated for the service of the state.

No man was ever more careless of praise towards the latter end of his life. A person who had written for years against him in a certain newspaper, at last felt, or affected to feel, a full conviction of the injustice he had committed, and actually repaired to Wimbledon for the express purpose of making the *amende honorable:* but he was coolly received by the philologist, who observed, "that he possessed no spleen whatever against him, and he was welcome to proceed exactly as before, if it could be of any service to his interests."

He thought, perhaps, with a great orator of antiquity, "that groundless opinions are destroyed, and rational judgments confirmed by time."*

* Opinionum commenta delet dies, Naturæ judicia confirmat.—*Cic. de Nat. Deor.* l. ii.

There is one point in which, in my opinion, Mr. Tooke and all the politicians of his school have failed, and that is, in distinguishing justly between what is absolutely best in speculation, and what is the best practicable, in particular conjunctures.

In respect to the constitution, he thought, with the author of "The Dissertation upon Parties," that we ought to make all governments, and still more, all parties, *bow to it, and suffer it to bow to none.*"

He constantly inculcated good faith in all transactions, and frequently quoted the Italian proverb, implying every promise to be sacred.

"Ogni promessa é debita."

Mr. Tooke observed of English manners, that they had not changed by degrees, but all of a sudden; and he attributed it chiefly to our connexion with India, that luxury and corruption had flowed in, not as in Greece, like a gentle rivulet, but after the manner of a torrent*.

He thought, in common with the wisest and best of men, that, under free, which many persons improperly confound with republican forms, societies are more happy, intelligent,

* Mores majorum, non paultim antea, sed torrentis modo precipitati."—*Sal. Frag.*

prosperous, and glorious, than under absolute monarchies.

Sometimes he called England a "commonwealth;" but this was to be taken in exactly the same sense, as this very term was employed both by Elizabeth and James I.

Revolutions, according to him, constantly proceed from the continued sufferings, not the occasional caprice of a people. It was in this point of view that he contemplated the resistance of the Corsicans to the French; of the Brabançons to the Austrians, &c. I find, that great statesman, the duke de Sulli, expressing himself exactly in the same manner, a century and a half before: — *Les revolutions qui arrivent dans les grandes etats, ne sont point un effet du hazard, ni du caprice des peuple. Ce n'est jamais par envie d'attaquer qu'elle se souleve, mais par impatience de souffrir.*"

Having learned one day, that a gentleman in company had two interviews with the late Mr. Percival, he asked his opinion of him. On hearing "that he was the quickest and readiest man with whom he had ever conversed;" he demanded on what subjects they had spoken? On this, it was observed, that the conversations were both miscellaneous and interesting, as they included the general policy of the nation, the causes of

the French revolution, &c. &c. After listening for some time with great patience, he himself made an attempt to describe his character, with all the brevity and sententiousness of Tacitus:

"Par negotiis, neque supra."

He considered those as the noblest of mankind, who had instituted wise forms of government; and contemplated those as the greatest heroes who had sacrificed their lives for the overthrow of bad, or the preservation of good systems: "a well-constructed one ought always to be contemplated as a grand *desideratum*, because productive of salutary and permanent advantages."

One day, while speaking on the blessings resulting from a good government, he delivered an eulogium on that of England; and although evidently under the pressure of disease, yet, with the tears ready to start from his eyes, he observed: "that he had hoped to have offered himself up as a sacrifice in its behalf!"

No man ever felt greater indignation at oppression, more especially when committed under the sanction of the laws.

Happening to call one day, after the war with France, on a tradesman from whom he obtained his snuff, he beheld his wife in the deepest affliction; on which he eagerly inquired the

cause? She readily informed him that her husband, who was a German, and had been eighteen years in this country, where he had acquired a competency by his industry, was peremptorily commanded to leave the kingdom within twenty-four hours, by order of one of the secretaries of state. On being asked what he was accused of? The poor woman answered: "there was no reason whatsoever assigned!"

On this, Mr. Tooke rejoined, "that it was impossible; for the nobleman alluded to did not possess the right of banishment, the act relating to foreigners not authorizing such severity."—But on hearing the observation, "that it was impossible to contend with power," her customer nodded assent, and asked, "if her husband had not been cook in some lord's family?" Upon her replying in the affirmative, he advised her "to go and try through that channel." She did so, and proved successful, for the snuffman was suffered to remain.

"Here," said Mr. Tooke, "was a gross violation of the law in the first instance, and a corrupt acquiescence in the second!"

One evening, during his trial, a gentleman observed to the prisoner, that he had not seen lord * * * * * * in court that afternoon.

"You are mistaken, my friend, for he certainly was there."—

"Indeed! I am astonished he escaped my notice. What a handsome, good-looking nobleman he is."

"I have some reason to think," replied Mr. Tooke, "that you never saw his face."

"Never saw his face!—"

"No:—I myself, after an acquaintance of many years, never saw it but once! and that was when I called him a sc——l in his own house:—then I beheld it for the first time, and a most infernal one it assuredly was!"

Soon after the commencement of the first French war, taxes were of course imposed for the purpose of carrying it on. Among others was an impost on hats, and, as Mr. Tooke considered that these were not *necessary* to his existence, or perhaps even to his comfort, he conceived the strange and very extraordinary resolution of doing without them, as the wearing of these would be a voluntary assistance towards carrying on a contest, which he deemed unjust. In the meantime, as nothing was to be paid for his old hat, he commenced his plan with that, always wearing it under his arm, as if going to court.

On being asked if he would not be subject to

the rheums and colds? he replied, "no; I am too old for that; for when the hair begins to fall, the skull at the same time begins to thicken; nay, it becomes more thick and more hard, in consequence of exposure to the air, by being left without a covering."

I leave the first of these positions for the anatomist to decide upon; as to the second, I find that Herodotus, on describing a field of battle, observed, that the skulls of the Persians, who wore a species of turbans, were easily pierced by the sword; while those of the Egyptians, on the contrary, who were constantly exposed to the weather, appeared, in the language of the historian, "to be harder than the stones with which they were mixed."

Towards the latter end of his life, Mr. Tooke had become wealthy and independent. He, indeed, did not keep his carriage, but hired one occasionally, as wanted; and this appears to have been the only article of luxury which was wanting to render his establishment complete. In short, when it is recollected that he possessed an excellent house and gardens; a cellar well stocked with wines; and a table daily furnished with all the delicacies of the season; it might almost be said of him, as Johnson did of Dr. Campbell: "that he was the richest

author who ever grazed the common of literature."

If his expenses are to be estimated by those of other men, they could not be far short of fifteen hundred a year; and in 1811-12, when he heightened his garden-wall, paved his court-yard, new furnished part of his house, and erected his tomb, they must have exceeded 2500*l.* But it ought to be here added, that the economy of his household was managed with great discretion and propriety. Throughout the whole department, contraries seemed to be studiously reconciled; for there was to be found plenty without waste, and variety without extravagance.

He himself, for a long series of years, had been accustomed to inspect the tradesmen's bills; to enter their amount in a book; and to keep a detailed account of all his outgoings. When his letters, notes, and manuscripts of all kinds, were committed to the flames, these escaped the general conflagration; and I saw them, after his death, lying, as usual, in due order, on a side table. In fine, all claims whatsoever were regularly audited and paid, and so particular and exact did he at length become, that he was accustomed to tell the precise price of every piece of furniture in his apartment, that had

been purchased during the last twenty-five years.

The library at Wimbledon was select rather than voluminous. It contained a copy of the first folio edition of Shakspeare, an interleaved dictionary, by Johnson, enriched with manuscript notes, lately valued at 300*l.* together with a few works of note. The author was not addicted, after the fashion of the present age, to collect black letter books, or purchase fine copies, or rare editions, at an extravagant price. Nor does he ever appear to have been enamoured with cream-coloured bindings, or broad margins, or costly specimens of typography.

He detested literary foppery: his collection was intended for use and reference; not show, curiosity, or splendour. He contemplated large libraries as noble depositaries of human knowledge; but he often expressed his wonder at the sums lavished on purchases of this kind by men of fashion, who have neither time nor inclination for study; and he has been known to compare a library, founded by one of these, to a seraglio collected for a Tenducci, or a Rausini!

As a writer, he was learned, able, and perspicuous; but, on the other hand, it must be allowed, that he was severe in no common degree: he himself appears to have been sensible

of this; for he allows, "that he speaks too sharply for philosophy;" but it is added, that he disdained "to handle any useful truth daintily, as if he feared it should sting him." On one occasion he represents lord Monboddo, as "incapable of writing a sentence of common English." Not content with doubting the justice of the earl of Mansfield's decisions, he was accustomed to question his knowledge of the laws. He also underrates the talents of Mr. Harris; and even, when he allows that the Hermes had been received with universal approbation, both abroad and at home, he adds, with even more than customary asperity, "because, as judges shelter their knavery by *precedent*, so do scholars their ignorance by *authority*."

Mr. H. Tooke was a great enemy to every thing that bore the appearance of being slovenly or indolent in composition. On the contrary, he was always a strenuous advocate for care and precision. Even in respect to familiar correspondence, he was of opinion, that all the minuteness of a special pleader ought to be adopted. As letters, even on the most trivial subjects, are intended to express the precise meaning and design of the writer, he thought they could never be rendered too plain or intelligible; and

he constantly maintained that too much care could not be employed to suppress every loose, equivocal, or doubtful expression. It was with this view, that he himself not only avoided all abbreviations and contractions, but condemned them in others, as improper, and almost as offensive.

Mr. Tooke did not, like Johnson, employ new, uncommon, or sonorous words, immediately derived from the learned languages. He rather followed the example of Swift, and artfully selected all the necessary and usual terms in use, so as to render them apposite to the subject.

During the early period of his life, he obtained but a trifling remuneration for his literary labours. But his work on language, the fruit of his maturer years, proved eminently beneficial. From his publisher, the late Mr. Johnson, of St. Paul's Church-yard, he obtained sums, at various times, to the amount of about one thousand pounds; and he told me, that on a final settlement with his successors, he was paid another thousand, a circumstance since confirmed on application to the booksellers themselves. He himself also received subscriptions to a very considerable amount; and, on the whole, there is reason to suppose, that the total may have amounted to between four and five thousand

pounds, all of which sum appears to have been clear gain, for no book was ever advertised so little. The author was accustomed to say, that he never paid for more than one single advertisement; and I have been assured, by those best calculated to decide on this occasion, that the amount so expended did not exceed ten pounds.

Thus, the literary labours of Mr. Tooke were far from being detrimental to his fortune. Indeed, with a very few exceptions, such as the large sums obtained by Mr. Gibbon, for his History of the Decline and Fall of the Roman Empire; Mr. Pope, for his Translation of Homer; Mr. Hayley*, for his Life of Cowper; and Dr. Samuel Johnson for his Dictionary; no one, in modern times, perhaps, has obtained a greater pecuniary reward for a couple of quarto volumes.

In his youth, he appears not to have been insensible to show; and in foreign countries he was remarked for the elegance of his clothes. In England, while a clergyman, he always paid a particular attention to neatness; and constantly wore the best of every thing. After he

* I have been assured that Mr. Hayley obtained the almost incredible sum of eleven thousand pounds by the Life of Cowper alone!

became once more a layman, it was observed that he evinced his original taste; but towards the middle, and during the whole of the latter part of his life, he was uncommonly anxious, both in respect to dress and appearance, that he should in no instance whatsoever differ from other men. It was his declared opinion, "that nothing could be more singular than to have no singularity."

This, however, must be admitted with some exceptions; for he declined buying a new, and indeed refrained, for a time, from the use of any *hat* at all, lest he might thereby contribute to the carrying on a war, which had not received the sanction of his judgment. Perhaps he left off powder also, from the same cause. Certain it is, that, after making the grand tour twice, and visiting France frequently, his hair appears to have been dressed, and his clothes cut, in exact conformity with the Parisian taste; but he afterwards put aside all foreign refinements, and appeared of the true *old English school* in every thing appertaining to him.

Of late years, his grey locks were combed carelessly over his forehead, and as his temples were bereft of hair, and he appeared rather bald behind, his head began to assume something of the venerable and *apostolic* cast; a supposition

not at all belied, when in a studious mood, by the form and expression of his features.

His favourite colour, until a recent period, when he changed it for a livelier one, appears to have been dark brown, and he usually wore a cloth coat of that shade, without a collar, and with buttons on the cuffs and at the pockets. He had been long addicted to snuff, in which he indulged greatly, and constantly carried a large box in his pocket. His rappee was freely communicated to all around, who chose to follow his example; and this was generally the signal for telling a facetious story. He seldom, indeed, concluded a droll adventure, and "set the table in a roar," which he performed with the gravest face imaginable, without taking a pinch of his Strasburgh!

Mr. Tooke has left behind him two daughters, Mary and Charlotte. The fate of "his girls," as he was accustomed to term them, engaged his most serious attention, at a period of his life, when his own fortune was as yet uncertain, and he frequently pondered as to the means of settling a sufficient provision on them. This was at length happily effected, and their incessant attention and constant eagerness to serve and to please him, well merited all his regard. If in the division, they were unequally provided

for, by the appropriation of the landed estate to the elder, this proceeded not from any dislike to, and far less from any misconduct on the part of the younger, whose character and behaviour, like that of her sister, have always been eminently respectable and correct.

Mr. Tooke also had a son*, who was sent to India many years since, and soon raised to an honourable and lucrative situation, in the employment of the company, in consequence of his recommendations and abilities. — He is still abroad.

Here follows a copy of his will, which, in point of *legal* import, is perhaps different to what it may appear on a cursory perusal.

"I JOHN HORNE TOOKE, on this day, Tues-
"day, the tenth of June, one thousand eight
"hundred, at Wimbledon, in the county of Sur-
"rey, make this my last Will and Testament. I
"give and bequeath to Mary Harte, at this time
"and long since residing with me at my house,
"at Wimbledon aforesaid, and to her heirs for
"ever, my freehold house and lands at Wim-
"bledon aforesaid, together with every thing
"else of which I may die possessed in any

* Mr. Montague.

" place, and to which I may be entitled; and I " appoint the said Mary Harte my sole exe- " cutrix.

" JOHN HORNE TOOKE."

" Witnessed by us { ELIZABETH HARVEY. HENRIETTA HARVEY. ELIZA NORTON."

" I confirm and republish the above written, " as my last Will and Testament, this sixth of " October, one thousand eight hundred and " eight.

" JOHN HORNE TOOKE."

" Witnesses { FRANCIS BURDETT. GEORGE PEARSON. JOHN SANFORD."

Of Mr. Tooke, there is a portrait at full length in oil, which was painted by Brumpton, in 1777, while he was a prisoner within the Rules of the King's Bench. He appears there in the character of a private gentleman, dressed in a fawn coloured cloth coat without a collar. The buttons are embroidered with silk, and his hair is cut, dressed, and powdered according to the fashion of that day. It ought not to be omitted, that in allusion to his philological labours, he is there represented adjusting the wings to the cap of Mercury. This was placed

on the left hand of the staircase; and it is not a little remarkable, that the frame was new gilded, in compliance with his instructions, but a few months before his decease.

There is a bust of him, in possession of sir Francis Burdett, finely executed, by the elder Bacon. It represents him in his best manner and best days; and was intended as a present to St. John's College, Cambridge.

Another was modelled by Mr. Chantry, during that illness which finally terminated his existence. The artist, on this occasion, had great difficulties to struggle with, for, as his flesh was gone, the muscles had become bare, and there was but little of his former self remaining. He finished it, however, to the entire satisfaction of Mr. Tooke and such of his friends, as, by visiting him at that period, were enabled to verify the correctness of the similitude, and do justice to the artist.

In a picture, in crayons, of the two miss Hartes, a third bust is introduced by the late Mr. J. R. Smith; and a portrait, by Mr. S. Percy, appeared in the Exhibition of 1803.

APPENDIX:

Consisting of a Chronologico-biographical Table, a Song, and a Letter to a Friend; all written by the late John Horne Tooke.

N° I.

1736—June—Born, St. Anne's, Soho.
43. Soho Square Academy.
44. Westminster.
46. Eton.
53. Sevenoaks, Kent — a private tutor.
54. Ravenstone, Northamptonshire, ditto.
55. Cambridge, St. John's College.
56. Inner Temple.
60. Brentford.
63. France with Elwes.
65. Petition of an Englishman.
66. Italy with Taylor.
68. Wilkes's election for Middlesex.
69. Sermon, and Foote's appeal.
74. Custody of serjeant at arms, house of commons.
75. American advertisement.
77. Trial—King's Bench prison—Letter to Mr. Dunning.
78. Proceedings — Error.
79. Gout — Rejected at Inner Temple.
80. Facts.
84. Letter to lord Ashburton.
86. Diversions of Purley.

1787. Prince of Wales.
88. Portraits.
90. Westminster election.
92. Trial of Action — Fox.
94. Privy council.—Messenger.—Tower.—Newgate.—Trial.
96. Westminster election.

N° II.

THE BIRTH-DAY OF OUR LIBERTIES.

I.

Rouse, arouse from this slumber, thou child of oppression,
Away with this vile, this unmanly depression;
Join the bands of thy countrymen armed with thunder,
To burst all these shackles, these fetters asunder;
See they charge them, they rush on to conquer or die;
See they follow them, they follow, they are broken, they fly;
They are conquer'd, they perish, no tyrant survives,
And the day of their deaths, is the *first* of *our* lives.

II.

These tyrants suppress'd, there shall rise up no other,
But each man behold in his neighbour a brother:
Equal rights, equal laws, equal blessings shall nourish,
Peace, justice, and plenty, henceforward shall flourish:
O guard them with jealousy, spurn from this hour,
The *bribe* of *corruption*, the *menace* of *power*,
And be this our decision, whilst *Freedom* survives,
That the day of its death, be the *last of our lives*.

N° III.

" MY dear Cartwright, more dear to me than ever. You know that it was brought against me as a treasonable act, that I had belonged to a society which gave thanks to Mr. Paine for his Rights of Man: now your letters to the duke of Bedford *, contain much more treason against scoundrels than any thing written by Paine in the whole course of his life; and yet I do not hesitate to give to you my most deliberate thanks and praise for this most treasonable production. I know not which most to commend, its skill or its courage; but for its principle, I still am, and always was ready, in any useful manner, to lay down my life. The gout, which, at this time, is furiously upon me, abates not one jot of my resolution. But the gout affects only my limbs: I fear you will find it in the heads and hearts of most of our countrymen.

" However — I bone quo virtus tua te vocat — I pede fausto.

" Most affectionately yours,

" J. HORNE TOOKE."

" *Wimbledon, Nov.* 4, 1805."

" P. S. I shall send to-morrow to W. Scott's, by the stage, some gooseberries and currants, of different sorts; strawberries of different sorts; and some fine red and white raspberry roots. I forbear paying the carriage, in order to secure the delivery of them."

* " The State of the Nation, in a Series of Letters to his Grace the Duke of Bedford." — Jones, Newgate Street. 1805.

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